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# Legislature of Ontario Debates

SUPPLY COMMITTEE—1

ESTIMATES, MINISTRY OF  
TRANSPORTATION AND  
COMMUNICATIONS

OFFICIAL REPORT — DAILY EDITION

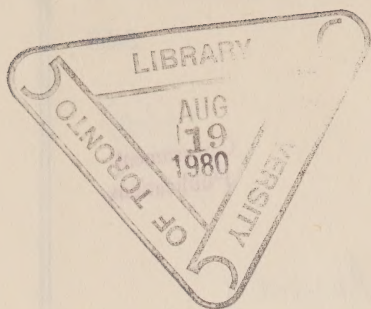
Third Session of the 30th Parliament

Wednesday, June 9, 1976

Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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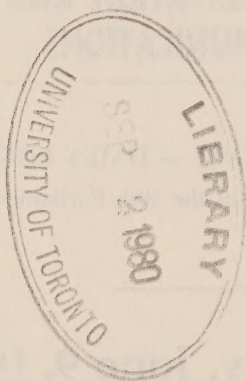


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## LEGISLATURE OF ONTARIO

### SUPPLY COMMITTEE

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WEDNESDAY, JUNE 9, 1976

The committee met at 2:07 p.m. in committee room No. 1.

#### ESTIMATES, MINISTRY OF TRANSPORTATION AND COMMUNICATIONS (continued)

On vote 2405:

**Mr. Deputy Chairman:** We will start off with vote 2405, item 1. Before that the minister has a few remarks to make and before that I would like to make a few comments. To start off with, we will try to rotate between—I was going to say three parties—the two parties for the first while. After that, we will go as the names are handed in. We will sit until 5.

We might as well clear this up now. There was a suggestion made that we sit tonight and then another suggestion that we sit tomorrow afternoon and evening. Would the committee like to decide on this issue now?

**Mr. Philip:** Mr. Chairman, I think the suggestion was that we meet tomorrow from 10 until the evening, if necessary, as a way of facilitating getting as much done as possible.

**Mr. Deputy Chairman:** So we sit from 2 to 5 p.m. now.

**Mr. Philip:** And then from 10 tomorrow until whenever the spirit moves us.

**Mr. Wildman:** If that's possible for the minister.

**Mr. Philip:** If that's possible for the minister. I understand there are restrictions because of his commitments.

**Hon. Mr. Snow:** I think that's impossible for meetings I have tomorrow morning. Originally from the schedule I was given by the House leaders we were to be finished by now. Regardless of that, we sit this afternoon and then normally we would have sat on Friday, other than the fact that the House is not sitting on Friday. Because the House

is not sitting Friday, I understand we are to move back and sit normal hours tomorrow. In other words, we will sit from after the question period tomorrow in the afternoon session and again in the evening session, and then go from there, wherever we end up tomorrow night.

**Mr. Philip:** The minister then wouldn't be free this evening for a session, I understand.

**Hon. Mr. Snow:** No, I have other commitments this evening and I have a lot of meetings and things booked for tomorrow morning.

**Mr. Deputy Chairman:** Is that okay with your party?

**Mr. Ruston:** No, I wasn't figuring we were sitting tomorrow. It is too bad because Mr. Reid had to go back to his riding and I am going to Ottawa tomorrow morning. My understanding was Monday, Wednesday and Friday was the routine.

**Hon. Mr. Snow:** It was news to me. In fact, there was some confusion in my mind as to whether we would be on estimates tomorrow or not. Then I just checked before I came down with the House leader who advised me that the committee was going to sit tomorrow.

**Mr. Philip:** Mr. Chairman, to facilitate matters, I will move that we sit tomorrow, after the question period and tomorrow evening.

**Mr. Deputy Chairman:** From 3 to 6.

**Mr. Philip:** And from 8 to 10:30 if necessary.

**Mr. Deputy Chairman:** The motion is that we sit tomorrow afternoon from 3 to 6 p.m. and in the evening from 8 to 10:30, if necessary. How many do we have entitled to vote and then we can vote?

How many are in favour of the motion?

How many are opposed?

That was two to one. Are you voting?

Mr. Makarchuk: Here's another one.

Mr. Villeneuve: No, I'm not. I'm just a replacement here. Do I have a right to vote?

Mr. Deputy Chairman: If you are signed in as a replacement.

Mr. Villeneuve: Okay, sure I'll vote.

Hon. Mr. Snow: Which way are you voting?

Mr. Villeneuve: I vote to sit tomorrow.

Mr. Deputy Chairman: To sit tomorrow?

Mr. Villeneuve: That's right.

Mr. Deputy Chairman: So it carries. We sit tomorrow.

Hon. Mr. Snow: Mr. Chairman and members, there are three or four items on which I promised to get additional information. They're not related to this part of the vote; in fact, they're related to the vote that was carried. But I'd like to put this information on the record for the committee, although some of the members who were interested in the information are not here. Of course, they'll get it out of Hansard.

The question was raised on Monday by the hon. member for Nipissing as to the part the Province of Ontario took in granting of a licence by the CTC to Bradley Air Services Ltd. to operate an air service from Ottawa to North Bay by way of filing an intervention against Voyageur Airways Ltd. I would like to provide this committee with the following facts:

In April, 1970, Voyageur applied to the ATC, as it was called then, for a class 3 licence serving North Bay, Pembroke and Ottawa. On July 20, 1970, the Province of Ontario asked the ATC for particulars of this application. These particulars were received on Aug. 14, 1970, over two weeks past the last day for filing interventions, which was July 29, 1970. The only interventions filed were from Nordair and Pem-Air. I would repeat that no intervention was filed by the province.

In January, 1971, when no decision by the ATC had been given, Voyageur complained that the delay was caused by Ontario. The then minister, Mr. Haskett, in a letter dated Feb. 10, 1971, denied this allegation and, in fact, offered to assist Voyageur in getting a favourable decision from the ATC. No assistance was requested.

On Sept. 30, 1971, the ATC granted a licence to Voyageur from North Bay to

Ottawa, excluding Pembroke. On Dec. 9, 1971, the ATC advised it had applications from Voyageur to add Sudbury-Timmins to its licence. Particulars of this application were requested by the province from ATC. The province did not intervene but on Jan. 10, 1972, the following letter was sent to the ATC and I quote:

The applicant has applied to serve the additional points Timmins and Sudbury from a base at North Bay and we interpret this to mean that the applicant intends to run services from North Bay to Sudbury and return, and from North Bay to Timmins and return.

We would therefore ask that in the event that the application is granted, that a restriction be placed in the licence restricting the applicant from operating a service from Timmins to Sudbury or from Sudbury to Timmins directly. We ask that this restriction be placed in the licence inasmuch as the applicant has not applied for Sudbury-Timmins service, and we are concerned that without the restriction, that in the future an interpretation may be placed on the applicant's licence which would permit such a service. The service between Timmins and Sudbury is presently adequately served by Air Canada.

We would request the committee to hold a public hearing in regard to this application so that the committee might examine the quality of service proposed by the applicant in greater detail than is provided in the application.

I would add that interventions were filed by Austin Airways, Sault Ste. Marie Chamber of Commerce, Nordair Ltd., the town of Timmins and White River Air Services.

On May 24, 1972, the ATC rejected the application, stating that Voyageur should concentrate on its North Bay-Ottawa route. Although Voyageur had its case reviewed, the request was denied by ATC.

I would again stress that in this application the province did not oppose, but did ask for clarification on the level of service it wished to provide from Sudbury to North Bay.

[2:15]

On June 22, 1973, White River Air Services, on behalf of norOntair, applied to the ATC to add North Bay and Kirkland Lake and permit a third Twin Otter to be added, and for the deletion of a restriction prohibiting non-stop service between Tim-



mins and Sudbury. At the same time, Voyageur applied to add Sudbury to its North Bay-Ottawa route. The province did not intervene, but Voyageur intervened against White River. The province, of course, had to reply to this intervention. On Oct. 24, 1973, the ATC refused the norOntair-White River application and granted Sudbury to Voyageur. On Nov. 21, 1973, the province appealed the refusal to norOntair and although the appeal was opposed by both Austin and Voyageur, the Minister of Transport for Canada overruled the ATC and granted the norOntair application to add North Bay and Timmins giving the following reasons for this action:

I am concerned that the decision of the Air Transport Committee in denying the applications of norOntair gave priority to the aspirations of certain air carriers rather than to the interest of the public in the northern communities concerned in obtaining improved regular scheduled service and the interest of the government of Ontario in providing such communities with regular scheduled air service as a means of economic and social development. The minister has responsibility where appropriate of encouraging the development of the more remote communities by the provision of regular scheduled service.

That is a quote from the Minister of Transport of Canada.

Finally, in the fall of 1973, the ATC was made aware of the proposed transfer of all the issued shares of Voyageur to Alert Aviation Ltd., a firm controlled by Bradley Air Services Ltd. Later Bradley assumed responsibility for operating the Voyageur service.

This, I think, clarifies all the points relating to the granting of these certain licences. I regret the member for Nipissing (Mr. R. S. Smith) is not here; I think he had certain questions or suggested there were certain facts different to these.

In regard to NODC loans, I am advised that White River Air Services applied for and received a loan to construct a hangar at Timmins. However, Bradley constructed a hangar at Timmins with its own funds. Mr. Smith had indicated that Bradley constructed a hangar with an NODC grant.

I would just like, for the record, to note an EODC loan from the Eastern Ontario Development Corp. in July of 1975 for the construction of a new hangar and overhaul facility in eastern Ontario, at Carp, Ont.

This was an industrial mortgage loan at an interest rate of 11.5 per cent. Again, there was no money for the hangar at Timmins at all.

White River Air Services obtained a loan in 1973, a portion of which was a performance loan and a portion of which was a term loan at 8 per cent, this was in 1973; and in August, 1974, they obtained an increase in the term loan portion because of the increased costs of their new facility.

I think that clarifies the loans that were made by NODC pertaining to anything to do with the norOntair Service.

Another item: On Monday a considerable discussion arose during the committee's deliberation on funds voted under vote 2405 item 2 for the deficits created by the operation of the passenger rail service by the ONTC to northeastern Ontario pertaining to the shortfall in pension benefits for those employees who chose, in 1964, to join the CNR rather than being transferred out of their home area.

I would like to point out to the committee that in 1973 pensions became a negotiable item under the union agreement, therefore it is very difficult to make arrangements such as have been suggested as part of the contract working agreement. However, I am prepared to sit down with the commission to explore the possibility of finding some other way of treating these employees fairly, other than opening up the agreement covering pensions for all employees in all categories.

One approach may be some type of a direct adjustment for the employees out of operating funds rather than the pension funds. I do not know if this is possible, but I am prepared to explore this or any other alternatives with the commission. I might say certain information, which I had not been aware of previously, came to my attention during the debate on Monday, and I'm certainly going to look into and reconsider this pension matter further.

Also, in the committee's discussions on Monday, Mr. Reid of Rainy River asked if I would supply the rate paid to each carrier operating norOntair. The rates are as follows:

Bradley Air Services receive 98 cents per mile, which includes a two-cent-per-mile incentive in accordance with the contract.

On Air Ltd. receives 93 cents per mile, including a two-cent incentive.

White River Air Service receives \$1.13 per mile, including a 20-cent-per-mile incentive.

Air Dale Ltd. receives 98 cents per mile, including a two-cent-per-mile incentive.

There is one other item that I intended to comment on during the consideration of the estimates, Mr. Chairman; it seemed an appropriate question, but an appropriate time didn't arise. I believe it was Mr. Bain or Mr. Wildman, in discussing the ONTC, who raised the question as to whether ONTC was carrying out its role as a transportation service for assisting in developing the north. I'd just like to say that the staff and the commission have one project which I failed to mention and which is being given very active consideration at the present time. The ONTC is considering the establishment of tourist package tours through northern Ontario, which would include not only northeastern Ontario but northwestern Ontario.

**Mr. Sargent:** Down to Tobermory, for instance?

**Hon. Mr. Snow:** I hope so.

This of course would include work with the Minister of Industry and Tourism, since I don't believe there is an operator supplying this type of service into the north. It would be business for the ONTC, of course, but it would also assist in the development of tourism in the north. It would involve the private sector in terms of motels, restaurants, gift shops and stores, and I think it would give a great boost to local tourist attractions.

This service is being considered both by bus and by train, perhaps out of Toronto and North Bay, and I believe Air Canada are quite interested in co-operating. It could be that it would connect with present tourist attractions such as Ste.-Marie-among-the-Hurons up at Georgian Bay, the Chief Commanda ride on Lake Nipissing, the silver mines at Cobalt.

**Mr. Wildman:** The Agawa Canyon.

**Hon. Mr. Snow:** —the trip to Moosonee by the Polar Bear Express. It would involve going across northern Ontario, staying overnight in local hotels, eating in local restaurants, going to Old Fort William—the ski jumps at Thunder Bay would be a tourist attraction—perhaps eventually to Minaki, back along the north shore, taking in the Agawa Canyon trip, perhaps down to Manitoulin Island and crossing on the Chicheemaun to Bruce Peninsula and perhaps back to Toronto by bus. These could be one-week or two-week tours—

**Mr. Sargent:** What are you talking, Jim? Ten years? Five years?

**Hon. Mr. Snow:** —both for residents of southern Ontario and for the European tourist market, which is, I'm told by Industry and Tourism, growing quite fast. The European tourists have a great interest in the north so we're working on this right now and we hope to have the service for next year if we get the necessary things worked out; not this year, of course.

**Mr. Wildman:** Mr. Chairman, if I could respond for just a couple of moments.

**Hon. Mr. Snow:** That's the end of my comments. If there are any quick questions, I don't think we want to go back all over the ONTC again.

**Mr. Wildman:** I just wanted to say that sounds very encouraging and to comment about the European tourists. There is now, apparently, a very great interest, especially among German people from Europe, who are particularly interested in getting out into the wilderness in northern Ontario because they're so crowded in their own country. That does sound very encouraging. Air Canada, I understand, is involved now in trying to sell package tours in Europe into northern Ontario.

**Hon. Mr. Snow:** Air Canada have shown considerable interest. This is something that we've been developing just recently. The ONTC people were down last week for another meeting with Industry and Tourism. Mr. Bennett and his deputy minister are most interested. I've discussed it with the provincial secretary in the Resource policy field, Mr. Irvine, who is quite enthused with the thing. As I say we're investigating doing it both by the deluxe bus, and also perhaps by a special train.

**Mr. Sargent:** Do you have any paper on this or any written plans we can see?

**Hon. Mr. Snow:** Not at this moment.

**Mr. Sargent:** Are you accepting any submissions from areas that would want to become part of this?

**Hon. Mr. Snow:** It was just last week that I received the final details. I've known about the development of the plan within the staff of the ONTC and I approved the thing in principle about a week or 10 days ago. I guess this is the first real public announcement of the plan. We hope to have our ONTC people going through the north now discussing this with tourist operators, with hotels and motels which might want to join in and work with the system.

**Mr. Sargent:** Out of what ministry is the financing coming?

**Hon. Mr. Snow:** There's no outside financing at all, this will be run by the Ontario Northland Transportation Commission.

**Mr. Sargent:** Then the Bruce Peninsula could take part in this programme?

**Hon. Mr. Snow:** Yes; as I say we haven't designed schedules, routes or fares yet, but we think it's a very viable thing that should be proceeded with further. We anticipate the buses carrying these tours, when they're coming, say down from Sault Ste. Marie, would come down and visit Sudbury, the nickel mines as one of the points of interest; come down through the island and come across on the Chicheemaun to the Bruce Peninsula; down through the Bruce Peninsula and eventually, perhaps, back over to the Ste.-Marie-among-the-Hurons tourist attraction; and then back through to Toronto. I'm sure the chambers of commerce and so on in the whole area will be putting in submissions and making suggestions.

**Mr. Sargent:** What are you going to call it?

**Hon. Mr. Snow:** Right now it's just package tours for tourists, both local people from southern Ontario who want to take these one-week or two-week tours through the north. There's been some contact with Air Canada which is very interested; and also with some of the foreign airlines which want to arrange tours, say right from Europe, bringing the people over to Toronto where the ONTC would pick them up at Malton and take them on a two-week tour of the north and bring them back and they would fly home again.

**Mr. Sargent:** Any idea how much money it's going to cost you?

**Hon. Mr. Snow:** You mean as far as capital is concerned? It will depend; if we were to do it all by bus I think the estimate was we might need four buses. Those are the expensive type, deluxe buses; they cost close to \$100,000 apiece.

[2:30]

If they do it by train there is the possibility of getting a special train—sort of a unit train—that would carry 100 passengers; that would cost perhaps a little more. It is not a big investment and ONTC would be able to handle it within its normal operating budget.

**Mr. Deputy Chairman:** They were going to bypass Owen Sound, by the way.

**Mr. Sargent:** Like hell you are! Not with the deputy minister sitting there.

**Mr. Deputy Chairman:** If the committee would bear with me, we are on page R-128 and vote 2405 and we have taken item 2 and divided it into A and B parts; and B part, Ontario Northland Transportation Commission, \$3,853,000, we voted on June 7.

**Hon. Mr. Snow:** I would suggest Mr. Chairman, that we deal with the balance of vote 2405, which is the capital and construction and operations of TATAO, GO Transit in other words. Can we deal with that one item?

**Mr. Philip:** On a point of order, Mr. Chairman, before we start. Some of our members are concerned about the research being done on Highway 400, can you tell us whether it comes under vote 2402, item 3, which would be the next item after what we are going to be discussing; or is it vote 2404, item 2?

**Hon. Mr. Snow:** What research are you talking about?

**Mr. Philip:** Highway 400, any design for Highway 400.

**Hon. Mr. Snow:** That would be vote 2402, item 2, under planning.

**Mr. Philip:** Vote 2402, item 2, good; so that will be up.

**Mr. Deputy Chairman:** So we are dealing with vote 2405, item 1, and part A of item 2.

**Hon. Mr. Snow:** I don't know how long the committee feels it will take to deal with the TATAO, I think we had indicated that we would go back then and start at vote 2402.

**Mr. Deputy Chairman:** You're right.

**Hon. Mr. Snow:** Mr. Reid asked, both last Friday and Monday, to have Mr. Foley here in the event there are any questions on the Urban Transportation Development Corp. Mr. Foley is here—at least he was, yes. He was here Friday and again on Monday and is here with us today. I think he is going to have some difficulty being here tomorrow, is that right? You are leaving tonight?

I am wondering if we could deal with UTDC after we finish TATAO this afternoon if there is time.

**Mr. Gilbert:** It's vote 2402, item 2.



**Hon. Mr. Snow:** That's in vote 2402 anyway.

**Mr. Ruston:** I would like to deal with that if it is possible.

**Hon. Mr. Snow:** We have the GO Transit people here and we have decided to go on that; and we have Mr. Foley of the UTDC here.

**Mr. Deputy Chairman:** Then we will go back to vote 2402, item 2.

**Hon. Mr. Snow:** And deal with the UTDC first if that is agreeable.

**Mr. Ziemba:** No, we would like to start off by dealing with the Highway 400 concept.

**Hon. Mr. Snow:** It is all under the same vote.

**Mr. Ziemba:** Could we deal with the Highway 400 concept first? If there is time left then we could get into UTDC.

**Mr. Ruston:** That's in vote 2405?

**Mr. Ziemba:** Vote 2402.

**Mr. Ruston:** Oh vote 2402.

**Mr. Wildman:** What vote are we on?

**Hon. Mr. Snow:** We are on vote 2405 now.

**Mr. Deputy Chairman:** Let's speed up vote 2405 and then we will go to the others. Vote 2405, item 1.

**Mr. Philip:** I have a few questions on the GO system. One of the questions I raised I think in our leadoff, was the whole business of CPR line running up through Humber summit. I'm wondering if any more thought has been given to developing a GO system through the north end of Rexdale in the borough of North York to provide GO service for the people up in the northwest corridor.

**Mr. Howard:** As a result of our first negotiations with the CPR for the use of their lines, we have just finished a memorandum of understanding with the CPR to operate on the Streetsville line; it is a commitment to become operative within the next two years.

As for the CPR line—I believe you are talking of the one up through Bolton, the transcontinental line—that is a part of an overall planning study which is presently under way, looking at all of the rail lines in and out of Toronto that are presently not being used for GO commuter services. The CPR line to which you referred is part of that overall

study. The railways are providing input to the planning branch of the ministry in this transit opportunity study programme to determine the feasibility of providing GO services on the balance of these rail lines, including the one to which you referred.

**Mr. Philip:** When should we have some idea of the results of these reports?

**Mr. Howard:** Toward the end of this year.

**Mr. Philip:** Toward the end of this year? So when should we be able to have some kind of policy statement? The people up there are really stranded in trying to get downtown, particularly a lot of them who work in the area but who use the recreational and cultural facilities of the city. I was with a group of people last night who have now called themselves "Forgotten Corners" because, as a community, they feel that they are farther from downtown than some of the people in northwestern Ontario.

**Hon. Mr. Snow:** There are certain announced expansions of the TATOA operation which will be implemented over about the next three years, including the Richmond Hill line, the Streetsville line and the increased service on the Lakeshore line. Those are in the definite detailed planning stages or the implementation stage.

**Mr. Philip:** I wonder then, since you brought it up, if I may ask you a question or two on the lakeshore east line. As I understand it, the present patronage is 2,500 per hour, which is below capacity. I also understand that you are going to put double-deckers on that line. Is it going to increase the traffic by that much to justify this kind of an increase?

**Hon. Mr. Snow:** The lakeshore east line?

**Mr. Philip:** Yes.

**Mr. Howard:** The entire lakeshore line is being dealt with as a through operation. As you know, we operate through services through Union Station, and all of our equipment does not stop at Union Station; it operates through. In determining the equipment requirements, we have to look at it as one entire operation.

I would argue with the statement that the lakeshore east is operating below capacity. Certainly there are certain trains during the peak hours where there are standees from as far east as Eglinton; both Eglinton, Scarborough and Danforth are standee situation on peak-hour trains. During the short

period of time when we had the bilevels in operation during the last couple of months, we were able to eliminate that situation. But I don't think there is any doubt that the eastern section of the lakeshore line has been operating at and above seating capacity for some period of time during the peak hours. In determining equipment requirements, particularly with respect to bilevel cars, we have to look at this as one entire operation, because we do operate this as a through service rather than as one component as opposed to the other.

**Mr. Philip:** Do you feel that by operating the bilevel cars, you are going to substantially increase the ridership because of comfort and so forth, or is there any feeling on that?

**Hon. Mr. Snow:** The ridership, of course, is increasing all the time—

**Mr. Philip:** Because of new developments?

**Hon. Mr. Snow:** There has been a considerable percentage increase in passengers; maybe Mr. Howard has some of the latest figures. I know I get a report from TATOA regularly, and it shows an increase on the different routes. Of course the lakeshore west route is operating at and beyond capacity all the time. This is the main reason for the new double-deck cars, they will increase the capacity of the line, I think something like 70 per cent; just the larger cars without running additional trains.

Maybe Mr. Howard could give you some of the specific detail.

**Mr. Howard:** The growth on the rail service, between April, 1975, and April, 1976, was 20 per cent. The overall growth in our entire system was 21.6 per cent, which included both bus and rail, between April, 1975, and April, 1976.

The studies that have been done and the planning that went into the present plans we are implementing, both for the introduction of the bilevel cars on the lakeshore, and the introduction of the Streetsville line, indicate that a number of factors, primarily the increased price of fuel and these sort of things, are leading to an increased switch in mode, from automobile to commuter rail, and we anticipate that. In fact this has been stated in the transportation plan reviews for the Metropolitan Toronto area, that there is sufficient latent demand in those areas to accommodate all increased capacity we anticipate putting in by the introduction of bilevel equipment.

**Mr. Philip:** I notice you mention that a number of the runs on the Lakeshore line don't all stop at the Union Station, which is a worthwhile sort of thing, I guess, from our point of view. I am wondering how much co-ordination there is between you and Mr. McKeough's ministry in terms of development so that we don't see the kinds of problems of creating dormitory cities that many of the critics and urban developers have been worried about. Obviously the fact that you are creating new centres by going past Union Station is a move in that direction, but I am wondering where the co-ordination is.

**Hon. Mr. Snow:** Basically, GO Transit was developed to meet a current transportation need, and of course one of the main purposes of the lakeshore GO service was to take people out of their cars on the Queen Elizabeth Way and bring them in by rail. Now of course if you were presently to try to put that number of people who are coming by rail on that Queen Elizabeth Way they would never get there in the morning. So I think it has just been growing.

I know in Oakville, in my community, there has been tremendous growth. I think the station parking lot and what not has been expanded every year almost since the service was implemented, and experience at other lakeshore stations is similar. So we are really supplying a service to meet existing needs, we are not going beyond.

**Mr. Philip:** So you are saying, then, that you are not using the GO system as a developmental tool, but rather as a response to development that takes place.

**Hon. Mr. Snow:** Mr. Johnston, do you have something more to say on that?

**Mr. G. H. Johnston:** Yes sir; the study that Bill Howard referred to, which is the Toronto Area Transit Opportunity Study, is directed by a steering committee which has representation on it from every one of the regional governments in the Metropolitan Toronto area; plus the Ministry of Treasury and Economics, their regional planning people. So there is input from the planners as well as from the transportation specialists.

**Mr. Philip:** Yes, I guess, and I don't want to labour the point, but I guess our concern is that perhaps transportation hasn't been used quite as much as a developmental tool and that perhaps closer liaison or larger input from Mr. McKeough's ministry might be useful in that area.



Regarding Union Station, the Suichies report expresses concern that if we have a massive transportation terminal in downtown Toronto it may be incompatible with the Toronto-centred region plan. Does the minister have any views on this?

**Hon. Mr. Snow:** Not any more than what I have already expressed. I am aware of those comments made by one individual.

**Mr. Philip:** Well it is a report, it is from more than one individual.

**Hon. Mr. Snow:** Written by E. Suichies, though, I believe. That is one opinion, but again I say that Union Station has always been the hub of transportation in Toronto—for well over 100 years, I guess.

[2:45]

**Mr. Gilbert:** I think, Mr. Chairman, you can take either position in the argument. Let's face it, as the minister said, GO Transit was developed in answer to the needs as far as the transportation corridor is concerned. When does answering a need turn over to encouraging development? Quite frankly, I don't think we've even reached the point of answering the need. If we had, we wouldn't be going to double-decker coaches. You could take either side and argue it philosophically, but right now we have not been able to meet the needs of that corridor as far as commuter rail is concerned.

**Mr. Howard:** Just one more point here, if I may, Mr. Chairman: In the instructions that were put forth for the development proposals for improvements to the transportation terminal at Union Station and its environs, it was agreed that the committee would be required only to develop proposals which could be implemented on the basis of phasing in the requirements, first of all, to meet committed projects that were developed to meet present demands, but allowing for future planning decisions which could put further stress on the area down there. But it would be developed in such a way that it could be phased, and naturally the first phases would only be to meet the present demands that have been approved through committed projects.

**Mr. Philip:** All right. As I understand it, the province set up two committees regarding Union Station, a planning committee and an implementation committee. Some criticism has been voiced that the implementation committee is running away and doing things with very little co-ordination with the plan-

ning committee; that, in fact, things are being done without very much planning, I suppose you won't agree with that, but I'm wondering why you won't agree.

**Hon. Mr. Snow:** The two committees were set up after meetings held a year and a half ago, I believe, between federal cabinet ministers and my predecessor, the Premier (Mr. Davis) and other provincial ministers, the two railways and the city of Toronto. One committee, dealing with the transportation aspect, is chaired by Mr. McNab, the chairman of TATO; the other committee, dealing with land-use planning, is chaired by Mr. Crombie. The two, I understand, are working quite well together, and I believe they're not too far from issuing reports. Can you give us a date, Mr. Howard?

**Mr. Howard:** Yes. The report is expected to be issued within the next 2½ weeks. One further point on that, if I may, Mr. Chairman: At the meeting that the minister mentioned, there were specific guidelines laid down for the implementation committee; they were that the transportation corridor was to be implemented on the existing rail corridor and utilizing existing Union Station, and the lands that remained were to be looked at by the land-use committee as the residual lands and how they could develop them. Therefore, since the implementation committee had its guidelines laid down as to where it would develop its corridor, the residual lands became evident fairly quickly. So the indication that there has been no co-ordination between the two committees is not quite true.

**Mr. Philip:** Without getting into a lot of jargon and terminology, Suichies talks about strategic linkages and normal linkages, strategic linkages being point-to-point, low-volume mainly off-peak services emphasizing comfort, speed and so forth, and normal linkages being the kind providing peak-hour, high-capacity service carrying people between their homes and their places of employment.

In communities such as mine, where we are very concerned that we do not become dormitory cities and that our people have access to the privileges and the culture and recreation of the city, have you decided on the kind of mix, or are you looking at the possibility of emphasizing strategic linkages in some of the outlying areas? I wonder if you can tell us what this mix will be or what your feelings are on this at the moment.

**Mr. G. H. Johnston:** That is one of the aspects that is being looked at in this joint



study that is under way right now. As has been pointed out, many facilities that have been put into place up to this point in time have been to satisfy an existing demand in a corridor of high congestion where there is obviously a need for improvement in transportation services. In support of the regional development objectives, which came out in the statement by Mr. McKeough and by the Premier a short time ago, as a part of this overall planning activity that is now under way we're trying to investigate how strategic linkages could become a part of the plans for the future. But it's a very difficult thing, because when you are talking of a high-quality, off-peak service catering to that type of a movement, the economics of it become pretty dicey.

**Mr. Philip:** One other question on this: The present GO system has experienced some problem in obtaining vehicles because delivery of coaches has been delayed and so forth. I'm wondering what you are doing to ensure that we don't have these problems in the future, that in fact we have the kind of equipment we need when we need it.

**Mr. Howard:** If you are referring to the fact that we leased equipment from the Chicago and North Western Railway to get us through this particular winter, we did have a delay in the delivery of 30 of our conventional rail cars that resulted in a capacity problem during this past winter. This delay, which was completely beyond our control, was a result of the strike at the plant in Thunder Bay. The delay resulted in a capacity problem, and we had no alternative but to look for whatever equipment was available. Fortunately, we were able to get this equipment from the Chicago and North Western Railway.

Insofar as our future rail car requirements are concerned, the bilevel equipment is presently on order and scheduled for delivery, beginning in mid-1977; we have every reason to believe that delivery will begin on schedule, and it should solve any capacity problems we have for the immediate future.

**Hon. Mr. Snow:** We did have some delay in obtaining some buses for a while too, but one only has to order them a few months ahead since they are coming off the assembly line; they are basically a standard piece of equipment. The rail equipment, of course, requires a much greater lead-time. I signed the contract for the bilevel cars last October or November, and they won't

be delivered until 1977 and some in 1978, I believe. But the delivery of that equipment will coincide with other changes being made on the lakeshore run; when that equipment goes into service on the lakeshore run, it will release the present equipment there for the Streetsville and Richmond Hill lines, for instance. That is all in a multi-year plan.

**Mr. Philip:** I have one last question; it's a question I asked previously, and I don't believe the minister has answered it yet. That is, in some areas there seems to be a problem of integrating TTC and GO. For example, there are a number of people in northwest Metro who drive down to the station, whereas they tell me that if they had some kind of a complimentary pass on the TTC, or one fare to include both, they probably would take one of the south-bound buses, be it on Martin Grove, Kipling or Islington. I'm wondering if any consideration has been given to that, because in the northwest the size of the streets is not comparable to that at the top of the Don and we just don't have the capacity to have everybody driving down to the GO station. Are there any plans to encourage people to use the TTC?

**Hon. Mr. Snow:** We're certainly trying to have our GO service work complementary to the TTC service but, on the other hand, to go to a single-fare system—I think that is what you are suggesting. There has been certain work done on it by TATO, and Mr. Howard I am sure could comment on that.

**Mr. Philip:** It's a psychological problem more than a financial problem. I mean it's just that if you are going to pay that extra quarter for the bus ticket then you are more likely to drive.

**Hon. Mr. Snow:** These services, both the TTC service and the GO service, are subsidized services now and I wouldn't want to make any changes that would seriously increase the amount of subsidy.

**Mr. Philip:** One fare wouldn't necessarily mean an increase.

**Hon. Mr. Snow:** It wouldn't necessarily but—

**Mr. Philip:** It could mean an increase in the GO cost rather than—

**Mr. Howard:** Mr. Chairman, the authority at the present time, and the TTC, have just completed the first phase of fare and ticket-

ing studies. One of the terms of reference for both of those studies was to investigate ways of integrating both schedules and fares between GO Transit and the Toronto Transit Commission services, including other carriers in the regions outside of Metropolitan Toronto, such as Mississauga Transit.

We will be meeting with the TTC to compare our two studies within the next 10 days and then we will move into the next phase. I think it has been recommended that there be pilot demonstration projects to determine how we can integrate a one-ticket system. So it is under way in the form of studies.

**Mr. Philip:** I have no further questions, Mr. Chairman.

**Mr. Deputy Chairman:** We have rotated the first half dozen names to give each party representation. From now on as a person wishes to speak we will place their name on the list.

**Mr. Grande:** Mr. Chairman, on a point of order please: Could you please give me some guidance and directions in terms of where comments and questions on Spadina may be raised?

**Hon. Mr. Snow:** Which Spadina?

**Mr. Grande:** The Spadina north.

**An hon. member:** The northern extension.

**Hon. Mr. Snow:** The vote we are on now is strictly Toronto Area Transit Operating Authority which is the GO Transit system. I presume if it is the Spadina arterial roads that is under the municipal roads vote, which is vote 2407.

**Mr. Grande:** Thank you.

**Mr. Ruston:** Mr. Chairman, I had a number of things under Urban Transportation Development Corp. which I would like to—

**Hon. Mr. Snow:** It is not under this vote.

**Mr. Ruston:** Well it's in this total vote though isn't it?

**Hon. Mr. Snow:** No, it has nothing to do with the provincial transit programme.

**Mr. Ruston:** I see, then we are strictly on the GO train and things like that.

One of your remarks, Mr. Minister, and this is probably a good point, was that if you put all the people that were riding the GO train on the Queen Elizabeth Way they

would never get here. Do we have any count or anything on the actual percentage of people who are coming in by GO train compared to the percentage of people using the highways? In other words, what percentage of people coming into Toronto to work from that area come on the GO train and what percentage come on the highway?

**Hon. Mr. Snow:** That would be very difficult to ascertain. We can tell you how many are riding the GO trains.

**Mr. Ruston:** Well what does your GO train bring in per hour in the morning?

**Hon. Mr. Snow:** Do you have that, Mr. Howard?

**Mr. Howard:** Our total GO train ridership at the present time is 30,000 passengers per day.

**Mr. Ruston:** It is 30,000 passengers per day?

**Mr. Howard:** Yes; that's two-way trips. Now if that's 15,000 passengers in each direction you can figure that 80 per cent of those are riding during the peak period, so you are talking about 12,000 passengers entering downtown in the 1½-hour peak period.

**Hon. Mr. Snow:** Is that just on the rail or is that on the bus service as well?

**Mr. Howard:** That is just on rail; that includes the lakeshore and the Georgetown service.

[3:00]

**Mr. Ruston:** I heard on the radio today that a survey had been made of office workers in downtown, and 88 per cent of them did not want to live downtown. They were making a survey, apparently, as to building more residential area downtown, and it was interesting to note that 88 per cent who worked down there didn't want to live downtown, so we can understand the necessity of this transit system. But it also makes one wonder whether we continue to build centres like Commerce Court, the Bank of Montreal complex, the Royal Bank complex and the Toronto Dominion Centre, and so many more in the downtown core, a five block area. I suppose over 100,000 or 150,000 people are employed there. It makes me wonder in regard to the transit system, if we will be doing as they do in Japan where they push you on the subway before they close the

door. It's about the same as that here now. I did try to subway one morning—

**Hon. Mr. Snow:** Sometimes I don't know whether—not right now, probably, but before we got the GO Transit double-decker coaches last winter that we leased temporarily for the lakeshore line, I understand in some situations the trains were pulling out leaving passengers on the platform who couldn't get on the train. I don't think that happened too often, but I have heard of it happening. They had to wait for the next train.

**Mr. Ruston:** GO Transit is subsidized, but what percentage is subsidized and what balance is paid by the riders? I think the fare depends on what distance you go so the fare from each point doesn't really matter; I was wondering what the general subsidy was, the general cost for each rider; what percentage is subsidized.

**Hon. Mr. Snow:** Well we increased the fares about 12 per cent this year. In 1975 the deficit per trip on the rail was about 60 cents; and the deficit per trip, I believe, on the bus service is about 50 cents.

**Mr. Ruston:** That's per trip?

**Mr. Sargent:** A person?

**Hon. Mr. Snow:** Yes, per trip per person.

**Mr. Sargent:** Per person per trip; 60 cents. Is that a round trip?

**Hon. Mr. Snow:** That would be per trip.

**Mr. Haggerty:** That would be \$1.20 per person per day then.

**Mr. Sargent:** That's \$25,000 a day in subsidies; or deficit.

**Hon. Mr. Snow:** No.

**Mr. Sargent:** There are 30,000 riders a day—

**Mr. Howard:** If I may, Mr. Chairman; the figure does work out, as the minister pointed out, to a little better than 50 cents per passenger. This has been fairly constant over the past nine years.

**Mr. Ruston:** That's 50 cent per passenger a day; that's the buses.

**Mr. Howard:** And this has been the figure over the years. When the service started in 1967 the estimates for patronage were four million passengers per year with a \$2 million annual deficit. We are presently carrying 12 million passengers per year with the cor-

responding annual deficit. In other words the deficit per passenger has remained constant over the years in spite of increased operating costs.

**Hon. Mr. Snow:** The fares on the GO system did not increase, I believe from about 1971—was it 1971 or 1972?

**Mr. Howard:** There was one fare increase in 1969, one in 1972; and then the third one in 1976.

**Hon. Mr. Snow:** So with the fares staying, from 1972—I don't think I have those figures here—but as I recall in 1972, after the fare increase about 75 per cent of the operating cost, 70 to 75 per cent of the operating cost was coming out of fares. Because the fares stayed constant, even with the increased ridership, because of the increased operating costs the percentage of recovery was diminishing in each year. In other words it went down from, say 70 per cent in 1972 to 68 per cent or 67 per cent in 1973, and so on. If we had not increased the fares in 1976 it would have been getting down close to the 50 per cent area. The 12 per cent fare increase brought it back up to something like 62 per cent, I believe, or 63 per cent of the operating cost.

**Mr. Sargent:** You depressed the number of riders by increasing the fares.

**Hon. Mr. Snow:** No, no.

**Mr. Sargent:** That's generally the case, though.

**Hon. Mr. Snow:** That is what the TTC said. When we discussed increased fare on the TTC they expected they would lose X million riders, or X million fares, because of the increase. That did not happen; in fact they didn't have any drop-off at all in ridership and the ridership has continued to grow each month. I don't think we had any drop-off in GO ridership.

**Mr. Howard:** No, the growth continued from the introduction of the fare increase at the beginning of April 1976. Our April increase in ridership, 1976 versus 1975, was 21.6 per cent increase in ridership. On the three occasions we have had fare increases in GO Transit we have yet to experience any decline in ridership as a result of a fare increase.

**Hon. Mr. Snow:** My constituency perhaps is as much affected by this as any. A great many of my constituents use the GO Transit and when fares were increased, even with



me as the minister being their local representative, I don't believe I got one letter from a constituent complaining about the fare increase.

**Mr. Haggerty:** Do you use the GO train to travel back and forth to Toronto?

**Hon. Mr. Snow:** Not very often. My family uses it quite a bit, but I don't.

**Mr. Sargent:** A big black limousine.

**Hon. Mr. Snow:** No, it is a blue one, a blue Mercury; not a big one either.

**An hon. member:** Is it a double-decker?

**Mr. Williams:** Mr. Chairman, there were two matters I wanted to speak to, one dealing with the GO Transit programme; but I understand on Monday between 5 and 6 p.m. you discussed vote 2406, and I had hoped to be able to speak to that vote, the air programme.

**Hon. Mr. Snow:** I am sorry, that one is carried.

**Mr. Williams:** I know it is carried, but I am asking the indulgence of the Chairman if we could reopen that matter from Friday, so that I could speak to that item.

**Mr. Philip:** Point of order, Mr. Chairman, I think we should stick to the agenda.

**Mr. McClellan:** You should have been here.

**Mr. Williams:** I was called into the House to speak at the time.

**Mr. Deputy Chairman:** What is the feeling of the committee?

**Mr. Sargent:** Why not? We're after information, why not?

**Mr. Ruston:** If you are going to open it for everybody else then I think we should have the same thing. It is not normal procedure.

**An hon. member:** Wait until next year.

**Mr. Wildman:** Mr. Chairman, the vote is carried; I am afraid that if we open it up for one member, there are lots of members who were not here on Monday who might have questions and we will end up talking about the whole thing all over again. We carried the vote. I think there are some important questions to be asked on other votes and we don't have much time. We finish tomorrow. I would think that it is important for us to get to some of the other votes that

we haven't discussed all yet, rather than going over a vote we have already fully discussed and has been carried.

**Mr. Deputy Chairman:** I am afraid I will have to agree with the feeling of the committee.

**Mr. Williams:** All right, we will keep it in mind, Mr. Chairman. We appreciate that kind of co-operation.

**Hon. Mr. Snow:** I will be available to talk to you about air programmes any time you wish, John.

**Mr. Williams:** I think it is something that deserves discussion at committee stage.

**Hon. Mr. Snow:** We did have a very full discussion. We spent all Monday afternoon and Monday evening on that.

**Mr. Williams:** I understand that, I was in here Monday to speak to it specifically and I was asked to go into the House to speak. However, so be it, Mr. Chairman.

Dealing with the GO Transit situation, I am wondering if Mr. Howard could elaborate on the current status of the programme as it relates to the proposed Richmond Hill route, down through the northeast sector of Metro? The programme was originally programmed to come on schedule in the spring of 1977, and I think it had been progressing favourably up to probably last fall when we ran into some difficulties. I was wondering if we could have clarification of what those difficulties were, to what extent they have been overcome and to what extent the programme has been delayed?

**Mr. Howard:** If I may, Mr. Chairman, we did, as you say, run into some difficulties in developing station locations on the Richmond Hill line. Our policy of going to the municipalities involved and explaining our plans for our station sites and station development to these municipalities, has caused some delay in the development of the Richmond Hill line. We have now, pending I understand a meeting of York regional council which comes up on June 24, resolved all of these plans and as a result the grading contract is to be awarded for the expansion of the rail line on or about June 25.

Our present plan is to have all of our construction completed by the end of 1977 and we will have, we presume, equipment available to begin the service at that time. So by late 1977 we should be able to introduce the Richmond Hill line.

**Mr. Williams:** Mr. Howard, just to refresh my memory on this, the two terminal locations were Richmond Hill, of course, and Union Station, and there were how many intermediate stations planned on that? Were there two or three?

**Mr. Howard:** The intermediate stations will be at Highway 7, which is at the side of the Langstaff Jail farm, and Finch Ave. station, which is at the Hydro property at Finch. The second station within Metro will be at Highway 401, which will be the Oriole station.

**Mr. Williams:** So there are the three?

**Mr. Howard:** Yes.

**Mr. Williams:** Highway 7, Finch and Oriole. You say that the logistical problems with regard to the development of those station sites has now been resolved, or is this the subject matter of the meeting on June 24 with the York regional?

**Mr. Howard:** The last remaining problem deals with a proposed grade separation by the regional municipality of York at Markham Rd. in the town of Richmond Hill. The region have this on their books for a grade separation. They originally anticipated that could be completed by 1977. It seems more realistic now to anticipate that grade separation cannot be built until 1980 or 1981.

The recommendation by the regional planners to their council was that they not permit the railway to put three at-grade crossings across Markham Rd. for the detour and for the station location, believing that the grade separation could be completed by 1977. With the latest facts and figures regarding the completion of the grade separation, and the fact that a steel company has to be completely moved out of that site before they can even consider starting, I have now been advised that the council are prepared to rescind that and to grant permission to put the at-grade crossings on Markham Rd. and we can proceed with our service.

**Mr. Williams:** And eventually, at some later date, put in the grade separation?

**Mr. Howard:** Yes. I believe they intend to proceed, but it looks like about 1981 before they can complete the grade separation.

**Mr. Williams:** You made reference to additional right of way grading and alignments and this type of work being undertaken. Are they not totally using the existing railroad beds?

**Mr. Howard:** There are five miles of new track required to double-track from the point at Doncaster north to the site of our Richmond Hill station. For the area south of that, primarily we will use the existing plant capacity on the railway. From Doncaster northerly, this is the area where the freight bypass comes in—

**Mr. Williams:** Sorry, Mr. Chairman; it's hard to hear when there's a lot of talking going on.

**Mr. Deputy Chairman:** We'd like a little less confusion, please.

**Mr. Williams:** Mr. Chairman, I think we sit here and show respect to the other members when they're talking and do not carry on a lot of talk back and forth. I'm finding it very difficult to find the same courtesy being extended over on this side. Thank you very much.

**Mr. Sargent:** Let's proceed now.

**Mr. Williams:** Thanks, Eddie. I wasn't looking at you specifically. You were one of them.

**Hon. Mr. Snow:** I thought Eddie was being comparatively quiet.

**Mr. Philip:** One of these days we'll make Eddie Speaker of the House and then all of us will tremble in trepidation.

**Mr. Sargent:** I'll make you Deputy Speaker right away.

**Mr. Williams:** So there'll be double-trackage from Doncaster up to Richmond Hill.

**Mr. Howard:** Yes. The five miles from Doncaster to Richmond Hill requires an additional track, primarily on the existing right of way, with the exception of a very small sliver of land required from the Langstaff Jail Farm just to widen the right of way a very small bit. It's within the existing right of way, but because of a conflict with freight traffic coming out of the Concord yard it is required to put a double track for that five miles.

**Hon. Mr. Snow:** As Mr. Howard mentioned, we expect to award the contract for that grading before the end of June.

**Mr. Williams:** If things go favourably at the June 24 meeting with the York region you'd be ready to go into action the next day and award the contract by the end of June. As I understand it, that's the construc-

tion you were referring to when you said it will be completed late in 1977.

**Mr. Howard:** The grading contract is part of it. The other parts are the building of the parking lots and access roads at our station sites. The design work is complete. We can call contracts on those at any time, once we have the problem resolved with the York region.

**Hon. Mr. Snow:** There's \$4 million almost, in the estimates this year, for the Richmond Hill line; about half of it for equipment and half for construction. There's almost a similar expenditure anticipated next year for the completion of the construction.

[3:15]

**Mr. Williams:** With the construction completed late in 1977, I presume in the meantime the equipment would be being purchased and be available to put the line into service immediately upon completion of construction.

**Hon. Mr. Snow:** I believe the equipment, most of it, we have now.

**Mr. Howard:** The equipment is almost completely delivered now.

**Hon. Mr. Snow:** That equipment is being used on the other lines at the present time; when the double-decker cars arrive that will relieve that equipment to go on the Richmond Hill line.

**Mr. Williams:** What is the initial scheduling for that line, Mr. Howard? Morning and evening service?

**Mr. Howard:** Three trains inbound between leaving—I can't give you the exact schedule, sir, but it is three trains inbound in the morning and three trains outbound in the evening, five days per week.

**Mr. Williams:** I presume during the normal rush-hour periods.

**Mr. Howard:** Yes. These will be scheduled to arrive at downtown Toronto at the normal times people wish to be there; somewhere between—

**Mr. Williams:** Seven and nine.

**Mr. Howard:** Between 7:45 and 8:30; there'll be three trains in that period.

**Mr. Williams:** I presume the actual schedules are yet to be published and it will be some time before that's done. Would this in-

clude any weekend service or is this strictly a Monday-to-Friday situation?

**Mr. Howard:** Just Monday to Friday.

**Mr. Williams:** Are the double-deckers going to be in use on this particular line?

**Mr. Howard:** No, the double-decker equipment will be used entirely on the lakeshore.

**Mr. Williams:** What is the anticipated capacity for this particular line? How many passengers do they anticipate being able to carry?

**Mr. Howard:** We're anticipating approximately the same as we're carrying on the Georgetown line, about 4,000 passengers per day.

**Mr. Williams:** Four thousand per day, I see.

I think, Mr. Minister, you had mentioned something about the design of the intermediate facilities; entrances, exits and that sort of thing. There were some problems there. I know there was one at Oriole that I think has been resolved.

**Hon. Mr. Snow:** I think that problem we had with the design of in and out ramps and so on, has all been settled now to the satisfaction of North York and the hospital and all the people who were concerned.

**Mr. Williams:** That's my understanding. Were there any similar difficulties with the other stations?

**Hon. Mr. Snow:** Not that I was involved in.

**Mr. Howard:** If I may, sir, there were no problems associated with the Finch station. The Oriole station, as you say, had a problem of access routes originally, concerning North York General Hospital which is immediately across from it. As a result of a new design on our left turn ramp and the installation of signals at the intersection into the parking lot, we've been able to satisfy all of the people who were concerned about the Oriole station. At the rest of the station locations we have not had similar problems.

**Mr. Williams:** Lastly, what are the vehicular parking accommodations at the three intermediate stations?

**Mr. Howard:** We will start with approximately 250 parking spaces per station, with provision for expansion as required.



**Mr. Williams:** It is 250 and 250, I see.

Just another supplementary: With regard to the Oriole station, when would they start the actual construction for the site there? I know there's quite a grade elevation problem and it would require, I presume, quite a bit of—

**Mr. Howard:** The actual construction of parking lots and access roads is scheduled for next year's construction programme. The contracts will be awarded, probably later this year, to begin in the spring of 1977—to be completed by the fall of 1977.

**Mr. Williams:** So the contracts that you hope to award late this month will be for the railway rather than for the intermediate stations; the stations will be awarded perhaps later in the fall. Is that correct?

**Hon. Mr. Snow:** They will probably be called in January or February, with the money for those in next year's budget.

**Mr. Williams:** I see. Thank you.

**Ms. Bryden:** Mr. Chairman, I am very glad to see that we do have a provincial transit programme trying to provide alternatives to the individual motor vehicle, especially in view of escalating prices for fuels and the possible scarcity of non-renewable energy sources, but I think we still have a long way to go in terms of providing additional commuter and public transit.

I notice that if you add up the provincial roads programme and the municipal roads programme you get \$703 million, and if you add up TATO and municipal transit you get \$202 million, so about 22 per cent of those two together is going to municipal transit and TATO. I think we need to consider putting more money into this, but the question is, what is the best place to put the money?

I would like some information about the subsidy per passenger-mile—it seems to me that's the crucial figure—that is going to GO as compared to what goes to the TTC. It may be that the TTC is getting a much lower subsidy per passenger-mile, although the need there is perhaps greater than at GO. Have you ever done a study of the income groups using GO, because one gets the impression that quite a lot of them are upper-income groups who perhaps don't need as much subsidy. On the other hand, I know a lot of working people also use GO.

**Hon. Mr. Snow:** I think people who use GO are in all sectors of our society. At the GO station in my community, the people range all the way from students to executives and everybody in between.

**Ms. Bryden:** But have you ever done a survey?

**Hon. Mr. Snow:** My best studies are done during elections, campaigning at the GO station, and I am sure I meet a lot of people of all walks of life there. I don't think we have any studies as to income groups, do we?

**Mr. Howard:** One of the most ticklish points to ask in any type of survey is the income of the respondent. We do not ask that question in surveys any more as a result of previous experience. We have no current studies, Ms. Bryden, on the levels of income of our patrons.

**Ms. Bryden:** Well, there are ways to do studies of income—you know, you have them circle within a range. The question could be voluntary to some extent, although that wouldn't necessarily be a true sample, but I think political science or transportation experts might be interested in doing such a study.

Do you have the figures on the subsidy per passenger-mile for GO and for the TTC?

**Hon. Mr. Snow:** I don't know whether we have it broken down on that basis or not. I think the average subsidy that we set on the rail is 60 cents per passenger—I don't know what the average distance is.

**Mr. Howard:** The average trip length on GO Transit is somewhere between 22 and 25 miles.

**Hon. Mr. Snow:** That would be roughly 2.5 cents per mile then.

**Ms. Bryden:** Do you have any figures on the TTC subsidy?

**Hon. Mr. Snow:** It's in a different vote, but do we know what the average subsidy is to the TTC. Is it 12 cents per fare?

**Mr. G. H. Johnston:** I believe so; it's about that, sir. They cover about 70 per cent of their costs out of their revenue as well; with the fare increase this year, that's their forecast. We haven't worked out—

**Hon. Mr. Snow:** The fare is 40 cents and that covers 70 per cent of their costs, so 30 per cent is subsidized.

**Mr. G. H. Johnston:** It's 12 cents, sir, and I believe the average trip length on the TTC system is about three miles, or something like that. I'm not sure of the figure, though, we could check it out.

**Hon. Mr. Snow:** I'm not sure of that either.

**Ms. Bryden:** I'm sorry, I didn't get it quite clear; is 70 per cent of the TTC ticket covered by subsidy?

**Mr. G. H. Johnston:** No. Seventy per cent of the cost of operating the system is covered by the revenue that is collected from the riders.

**Ms. Bryden:** It's 30 per cent that is covered by subsidy?

**Mr. G. H. Johnston:** Yes.

**Hon. Mr. Snow:** This varies with the system, Ms. Bryden. We have 50 or so transit systems in the province, I believe, in different cities—

**Ms. Bryden:** Yes, I can understand that.

**Hon. Mr. Snow:** The TTC naturally is the one you're most interested in, and of course it's the largest; but all the transit operating authorities get the same subsidy in terms of their capital cost. They get 75 per cent from the province and 25 per cent from their municipality, so their capital costs of improvements, of buying new buses or whatever it may be, are covered totally by subsidy. The operating deficit is covered by a different arrangement. But the percentage of the operating costs that the different systems derived from the fare box varies considerably.

**Mr. Gilbert:** Mr. Chairman, when we are in vote 2408, we can—

**Hon. Mr. Snow:** We can get into more detail on municipal transit in the appropriate vote. But I know what Ms. Bryden is trying to compare here, and we've really got to discuss both votes to do it.

**Mr. Gilbert:** I think we could give Ms. Bryden the breakdown for each municipality; we should have it here.

**Hon. Mr. Snow:** I have them here, but that would be getting into another vote.

**Ms. Bryden:** It might be useful at some later date, though, to know the deficit picked up by the ministry for each municipality and the subsidy per passenger-mile.

**Hon. Mr. Snow:** But it varies. I think the municipality with the best record gets something like about 85 per cent of its operating costs from the fare box, and the lowest gets down pretty low. The highest in 1975 was 85.1 per cent. Metropolitan Toronto I believe, if I can find it, was 67 per cent in 1975. But they've had the fare increase for 1976 so we expect that they'll get a little higher ratio in 1976.

**Mr. Gilbert:** This is the operating deficit, this doesn't include anything on the capital.

**Ms. Bryden:** No. You said 50 to 60 cents per trip deficit and you said 12 million passengers. The figure we're asked to vote here is \$11.6 million for operations. Doesn't that work out to close to \$1 per passenger, if it is 12 million passengers you are carrying right now? Under item 2, operations, \$11.6 million is the operating deficit, presumably.

**Hon. Mr. Snow:** That \$11,615,000 is the total of transfer payments to TATO; that's the figure you're looking at?

**Ms. Bryden:** Yes.

**Hon. Mr. Snow:** That includes the operating deficits on the bus lines. The bus part of GO Transit is \$2,970,000; the deficit on the rail lines is \$5,080,000; miscellaneous leases, that is the leasing of equipment, I believe, is \$500,000; and the general administration of TATO, which includes the total operation of TATO, the planning, the supervision of the capital part and everything, comes to \$3,065,000.

**Ms. Bryden:** That's the missing link. Thank you, Mr. Chairman.

I just have one other area I wanted to discuss and that is: You said that the eastern section of GO Transit is probably operating somewhat under capacity but you expect it will grow when you get your double-deckers on. Have you any plans for additional parking lots in the eastern section or for any additional feeder lines, say to Scarborough Town Centre?

[3:30]

**Hon. Mr. Snow:** I don't think GO Transit has any plans for Scarborough Town Centre.

**Mr. Howard:** Not insofar as Scarborough Town Centre is concerned. As to your first question, Ms. Bryden, we do have a plan for improving all our station facilities, at all stations on the lakeshore, as part of our overall redevelopment programme in anticipation of the delivery of bilevel equipment. We

certainly anticipate two things: We are going to have to improve park-and-ride facilities and also improve feeder bus facilities. We do have a plan, over the next two-year period, to improve all of the station locations on the lakeshore, which includes expanded parking lots. Also, as we pointed out previously, we are looking to better feeder bus systems with the local municipalities.

**Ms. Bryden:** How many parking facilities do you now have in the eastern section, say east of Yonge St.?

**Mr. Howard:** I would say we probably have in the neighbourhood of 3,500 to 4,000 parking spaces on the eastern stations.

**Ms. Bryden:** And how many additions?

**Mr. Howard:** I cannot give you that figure. I can certainly get it for you, Ms. Bryden, but I do not have it at the moment because we are just now developing our plans for these improvements. It's to be done over the next two-year period to coincide with the delivery of the bilevel equipment, so we are just now looking at the property availability to expand parking lots and also to improve feeder bus operations into these spots.

**Ms. Bryden:** When this additional parking and these feeder connections are provided, do you see any need for further, either public or road, transit in the Scarborough transportation corridor? It is being recommended now by Metro council that at least the land be acquired for it, and I presume your ministry will be asked to put up 50 per cent of the cost of acquiring that land if it is going to be for roads anyway?

**Hon. Mr. Snow:** We haven't—

**Ms. Bryden:** It will be 75 per cent for construction.

**Hon. Mr. Snow:** We haven't, I don't think, had any—I know what you're referring to, the motion by Metropolitan Toronto to continue, I guess, assembling the Scarborough right of way, whether it be for an arterial road or some other type of municipal transit. I don't think they intend to do this all at one time by any means; but we've had no approaches from them for funding on this.

**Mr. Gilbert:** I guess we read the paper as you do, Ms. Bryden, but any comment that I've had from the Metro people has been on the basis that in the far eastern sector, in through Scarborough as compared to the

city of Toronto, in that area it's my understanding, in the brief discussions that we've had, that there were some arterial roads that originally were to be accommodated as part of the overall transportation corridor through there and they now see a need to do parts of that. This is our understanding of why they are acquiring some of those locations in Scarborough. We certainly haven't had any requests. Any land they would buy would be part of the normal municipal subsidy that they would get from us under vote 2707 for municipal roads.

**Ms. Bryden:** When the request comes from the municipality for the normal quota on road subsidy, do you ever refuse to match the funds if you don't agree that the project is of prime importance or essential for transportation needs?

**Hon. Mr. Snow:** Well, of course our funds for municipal roads subsidies are limited and we're not able to meet the requests, certainly not this year, of all municipalities for subsidy.

**Ms. Bryden:** Does that mean that you do not automatically match? If the municipal council decides to spend \$21 million, which is the recommendation this year, you would not—

**Hon. Mr. Snow:** Every municipality gets an allocation of subsidy, based on their road programme, their maintenance requirements and their construction programme, but they don't always get what they figure they need. We allocate the subsidy on the ratio. The majority of municipalities get a 50 per cent subsidy. Some rural townships, and so on, get up to 80 per cent subsidy, because of their assessment base and their road needs. So we subsidize so much work at whatever percentage. We provide so many subsidy dollars and they apply that to the amount of work they can do, based on that ratio. Now if they do work beyond that, and some municipalities do additional road work, then they're spending 100 per cent of their own dollars.

**Ms. Bryden:** So that if the request came for half of the \$21 million it would not be a specific request for \$10.5 million, it would be part of their budget; is that correct?

**Hon. Mr. Snow:** Yes. I think Metro's allocation of funds this year was something in the neighbourhood of \$16 million, and that was for both maintenance and construction.

**Ms. Bryden:** So you don't know whether they have—the \$21 million is part of that.



**Hon. Mr. Snow:** The municipalities, within that allocation, have considerable autonomy to develop their own priorities.

**Ms. Bryden:** Do you feel, with the expansion of the GO system that is being planned along the lakeshore, that considerable of those eastend transportation needs are being met? Do you feel there is a need for building in the Scarborough transportation corridor of any kind?

**Hon. Mr. Snow:** I think there is certainly a need for additional transit facilities into Scarborough, we know of that. It is within the jurisdiction of Metropolitan Toronto to plan their transportation facilities.

**Ms. Bryden:** But a lot of it may duplicate some of your expanded transportation, with your double-deckers. We may be spending money that will duplicate services that are already being planned by the municipalities.

**Hon. Mr. Snow:** The GO system on the lakeshore line east will come to its capacity point at some time as well.

**Ms. Bryden:** Just one final question: Is GO transit involved in any of the studies about the Toronto Island Airport? I was thinking in terms of connections; if there should be any expansion of air activity at the airport would GO facilities, either at Union station or further along, have to be expanded at all for connections.

**Hon. Mr. Snow:** I don't believe there are any plans for any interconnection of GO Transit with the Toronto Island Airport.

**Ms. Bryden:** Have they not been involved in any of the studies?

**Hon. Mr. Snow:** Our ministry has. As far as transportation planning is concerned we're represented on the Toronto Island Airport study group; but I don't believe GO Transit Gerry, do you have any comments on that?

**Mr. G. H. Johnston:** The responsibility for various parts of that study were assigned to different governmental organizations and Metropolitan Toronto was assigned the responsibility of the access study. They would have discussions with all the agencies that could have a transportation implication, but it's basically a Metro study and access was considered to be a Metro responsibility.

**Ms. Bryden:** But have you been involved, through GO Transit?

**Mr. G. H. Johnston:** Yes, through the committees we all have been involved; but not specifically GO Transit, no.

**Ms. Bryden:** GO Transit has not been asked specifically to suggest how it might be integrated with a change in the Toronto Island Airport?

**Hon. Mr. Snow:** I can't see GO Transit, regardless of the outcome of the Toronto Island Airport study, I can't see the role of GO Transit being involved. Certainly any type of public transportation to or from the Island Airport, I think would fall under the TTC.

**Ms. Bryden:** Thank you, Mr. Minister.

**Mr. Haggerty:** Mr. Chairman, I want to discuss this particular too, dealing with GO Transit and the double-decker or two-tier passenger cars. I can well recall the previous member for York North, Donald Deacon, suggested to the government they should be going into the double-decker type of a passenger car for rail services on the GO system and I'm delighted the government has listened to something from the opposition side. But I have noticed that apparently the GO Transit system must be renting cars from—is it Chicago North Western or something? What is the cost of those?

**Hon. Mr. Snow:** Last winter, because of capacity problems with our existing equipment, we were able to get a short-term lease on 10 or 12 coaches—

**Mr. Howard:** Ten coaches.

**Hon. Mr. Snow:** —10 coaches from an American railroad that had those cars available for a certain period of time—three months I think it was.

**Mr. Haggerty:** They are still in service, are they not?

**Mr. Howard:** No they are not. They have all been returned.

**Hon. Mr. Snow:** There were 10 cars in operation between Jan. 7 and the end of April, and six cars ran through until the end of May, and now they've all been returned.

**Mr. Haggerty:** The minister indicated that you are now in the process of having cars constructed or purchasing new cars for the GO system.

**Hon. Mr. Snow:** Oh, yes, we entered into a contract with Hawker Siddeley. I signed

the contract last October or November for 80 new double-decker coaches.

**Mr. Haggerty:** They are being manufactured, I presume, in Ontario?

**Hon. Mr. Snow:** Oh, yes, all our GO Transit cars have been manufactured by Hawker Siddeley at Thunder Bay.

**Mr. Haggerty:** I hope their design is going to be a little different from the American cars because there was quite a step to enter those particular cars. I suppose it must have been about 24 in. or something. I thought that was rather a hazardous condition there.

**An hon. member:** They must have come from Texas.

**Hon. Mr. Snow:** Our double-decker cars are considerably different from the ones that we leased from the States. A couple of years ago we had a number of cars on loan from the CPR, which operates a commuter service in Montreal with double-decker cars. We tested the acceptability of those, and so on, on the lakeshore run. We borrowed some of their cars for a short period of time and used them. It was following that that we decided to proceed and purchase cars. But the new cars that are being built by Hawker Siddeley now are considerably different from either the CPR cars or the ones we leased from the American railway.

**Mr. Haggerty:** Hopefully they are going to design something that perhaps would take away the potential hazard of somebody being injured—something like the subway trains, so that as you come off the train you are on a level.

**Hon. Mr. Snow:** I don't think we will have level entrances.

**Mr. Howard:** There will be an 8-in. step from the platform to the lower deck of the bilevel equipment that we have ordered. We cannot put a completely level platform on our system because we operate on existing rail-lines where freight traffic has wide loads. We cannot build platforms that come right up and about the railway track, so we have to build low-level platforms. We have dropped the centre of gravity on the coaches themselves and we will have an 8-in. step from the platform to the lower step of the coach.

**Mr. Haggerty:** I find this perhaps a potential hazard. When you get a number of per-

sons leaving those cars, pushing and shoving, particularly at Union Station there isn't sufficient capacity now to remove the passengers from the train platform, down the stairs and into the station.

**Hon. Mr. Snow:** That, of course, is going to be changed. There are modifications and alterations going to be done at Union Station to increase the capacity and get away from that bottleneck that you have there now.

**Mr. Haggerty:** This is quite a bottleneck. What are you going to do in the meantime? Are you going to allow these pedestrians perhaps to walk in front of an oncoming engine?

**Hon. Mr. Snow:** Pardon?

**Mr. Haggerty:** Are you going to have the risk of a pedestrian walking into an oncoming train as it is entering Union Station or leaving?

**Hon. Mr. Snow:** I hope not.

**Mr. Haggerty:** I think if you are there to see what takes place—

**Hon. Mr. Snow:** We haven't had too many people walk into engines.

**Mr. Haggerty:** I know that, but it's there and the potential is there. All they have there now is a warning line painted in yellow. I think there should be some other type of barrier there—even a chain system in case a person may stumble.

**Hon. Mr. Snow:** We'll have new widened stairways and ramps and what not.

**Mr. Haggerty:** Are you going to have escalators too?

**Hon. Mr. Snow:** I don't know whether there are escalators or not.

**Mr. Howard:** Yes, the plan calls for considerable improvement at Union Station. As the minister pointed out, there will be wider platforms, escalators, and additional stairways down to and up from the lower concourse.

Your suggestion regarding chains, if I may, Mr. Haggerty, is not operable. You cannot load people through a small narrow passageway by means of having chains. They have to load along the length of the train.

[3:45]

**Mr. Haggerty:** If you travel by CN or CPR they usually have trainmen who will take you almost to the car to board it but on the

GO system they are just like animals, you might say, rushing to get on one particular car. I feel you are going to have difficulties there. You are fortunate right now that you haven't had a serious accident.

**Mr. Howard:** It's the very nature of commuter services, Mr. Haggerty. The type of people who are using commuter service are always in a hurry. It is unlike the leisurely person who is going to catch an intercity train. He usually has plenty of time and usually does not mind walking through a narrow passageway or up through a chained area to get to his train. When you have all these people arriving at one time to catch a commuter train, they are a different type of animal from the person using an intercity train and you have to accommodate them accordingly. The plan is to improve considerably the safety aspects of Union Station itself in advance of the delivery of the bilevel equipment.

**Mr. Haggerty:** What do you have in your plans for the commuters who leave Union Station and want to cross Front St. by the Royal York Hotel? They walk out there in droves like cattle.

**Mr. Howard:** That is not part of our plan.

**Mr. Haggerty:** I know.

**Mr. Howard:** That is part of the total development plan for access from Union Station across to the new developments on the north side of Front St. There will be under-roadway access when that is completed from Union Station. Part of the plan is to eliminate the present—are you familiar with Union Station? There is a moat in front of Union Station which provides a barricade for people getting to the subway system who have to go down and back up again. This will be eliminated in the plan to improve Union Station with direct access across.

**Mr. Haggerty:** You also indicated you are purchasing buses. Where are they being constructed or built?

**Hon. Mr. Snow:** London.

**Mr. Haggerty:** London, Ont., all of them?

**Hon. Mr. Snow:** General Motors. I think all of our buses are General Motors buses, are they not?

**Mr. Howard:** No, sir, we do have some from Motor Coach Industries, Winnipeg. General Motors does not produce the large

over-the-highway type of bus and we have acquired some of these for some of our routes where we have to carry baggage. We have purchased 14 but the balance of our 110-bus fleet is all General Motors buses.

**Mr. Haggerty:** Good. I have to give the minister credit at least for purchasing in Canada the equipment for GO Transit and the buses and the passenger car services.

Has the minister given any consideration to improving the grade crossings, grade separations, in the area, say, from Toronto to Hamilton? Have you anything in mind at all to improve the conditions along that rail service?

**Hon. Mr. Snow:** Most of these are municipal or county or regional roads. I have met with many of the municipalities and under the grade crossing programme each municipality makes application, with its own priorities, for grade separation. We are involved on a subsidy basis through our normal municipal road programme. It's nothing to do with GO Transit.

Each municipality applies to the federal Minister of Transport for certain subsidies. We support that application by an order in council. When that is approved at the federal level, the CTC makes a recommendation to the federal minister who then approves the grade separation and as the municipality fits that grade separation construction into its normal work programme we subsidize the balance. If it is a \$3 million grade separation and the federal subsidy is \$2 million, the other \$1 million is shared between the municipality and the province on whatever is the basis of the subsidy.

**Mr. Haggerty:** Would you not agree that this should be given top priority, based upon the present number of trains using the rail services from Hamilton to Toronto? I know it's an awful concern to the persons who drive—the engineer on the train will let you know—

**Hon. Mr. Snow:** The level crossings with the highest traffic volume by both trains and vehicles are normally given the highest priority for grade separation.

**Mr. Haggerty:** I imagine there's an average of one train every 15 minutes making use of the double tracks between Hamilton and Toronto.

**Hon. Mr. Snow:** There is a lot of traffic there. There is quite a bit of freight traffic and there's the CNR—



**Mr. Haggerty:** The CPR.

**Hon. Mr. Snow:** —and the GO train.

**Mr. Haggerty:** I was just wondering perhaps—

**Hon. Mr. Snow:** Mississauga, for instance, has applications in for certain grade separations. I think one has been approved this year. Oakville has had one approved.

**Mr. Haggerty:** It takes about two or three years to get it approved, does it not, with the red tape the municipal council has to go through? It has to get the approval of the MTC and of the federal transportation people.

**Hon. Mr. Snow:** Yes. They take some period of time. In meeting with different municipal councils I have urged the councils to establish a grade separation programme. Mississauga has stated it has something like 20 grade separations within the city.

**Mr. Haggerty:** It could probably spend all its road budget on that one particular programme.

**Hon. Mr. Snow:** The federal government has only so many dollars to allot to grade separations as well. Mississauga is developing a schedule for its 20 grade separations, setting its highest priorities 1, 2, 3, 4. I suppose some day it hopes to eliminate every level crossing. It may take quite a number of years to do it.

**Mr. Haggerty:** I have said you should be giving top priority to it because if you are going to be using it for that type of commuter train and adding more services to the two rail lines I think it is an obligation on your ministry to move in this direction and speed things up a little bit.

**Hon. Mr. Snow:** Are you suggesting we should take over from the federal government on this?

**Mr. Haggerty:** No, but I think you should be taking the bull by the horns, let's put it that way, instead of waiting for them to move in. You have had one serious accident. You had a bus which was caught between—something happened and there were some fatalities.

**Hon. Mr. Snow:** That was an unfortunate accident in Scarborough between a TTC bus and a GO train. That application had been at

the federal level for some time. It has now been approved.

I think we have had 13 grade separations approved. Last November, we had applications for 21 or 22 grade separations within Ontario before the federal ministry. That is all the applications which were in Ottawa. Some of these were municipal applications with our support; some were provincial applications for grade separations on our King's Highway system.

On those 21 or 22 put in by the end of 1975, we have received 13 approvals from Ottawa. We have had several approvals, four or five, within the last 10 days. When each application is approved I get a letter from Mr. Lang.

**Mr. Haggerty:** One of the problems, if you travel the rail service, is the engineer can't blow the whistle anywhere between Toronto and Hamilton. There's very little warning to motorists when those gates come down.

**Hon. Mr. Snow:** I'm not arguing the point that we don't need grade separations. I say we have a separation programme. There's a lot of money. There have been 13 applications of 21 or 22 approved since Jan. 1. We're expecting more approvals.

Since that time two more applications have gone in so what the waiting list in Ottawa is at this time I don't know. Most of the approvals are given with funding over a three- or four-year period. This creates a problem.

In some cases we have a \$3 million grade separation and the federal government will say we'll get \$500,000 this year; \$1.5 million next; \$500,000 the year after; and \$500,000 the year after that. Normally the projects will be built in no more than two construction seasons. This is a matter I'm going to discuss with Mr. Lang at a meeting I'm having on the 29th.

**Mr. Haggerty:** I think the federal government has more responsibility in this particular field. After all, it is its responsibility to move people by rail, not the provincial government's. If we're taking over responsibility for moving people by mass transportation—rail and so on—I think you should be going after the federal government for a bigger share of subsidy on the particular lines you are using today.

**Hon. Mr. Snow:** The federal government has a good programme under the new Act. It gives very good grant assistance. The federal minister's budget, as I understand it, has X number of dollars for grade separations

for all of Canada. He deals with applications from all 10 provinces.

**Mr. Haggerty:** Those trains are moving at a pretty fast clip, about 60 to 80 miles an hour. When the train whistle blows for the intersection, there isn't much time before the train reaches the grade crossing. I don't think this is an ample warning to motorists. Have you given consideration to trains being equipped with a flashing light on top of the engine cab that motorists could see for miles away?

**Hon. Mr. Snow:** To my knowledge, all the crossings that GO Transit uses are protected.

**Mr. Haggerty:** That's right. They are protected either by gates or by flashing signals. But there have been failures in equipment in that particular field, too.

**Hon. Mr. Snow:** I am not arguing this point with you at all, but I just say of the several hundred grade separations that we have in Ontario, they cannot all be replaced this year. We have an ongoing programme. There have been 13 approved this year: Metro Toronto, St. Clair Ave.; Scarborough, Midland Ave.; Oakville, Dorval Dr.; Metro Toronto, Eglinton Ave.; Region of York, Bayview Ave.; Borough of Scarborough, Pharmacy Ave.; MTC, Highway 403, for two structures in the Stratford area; region of Peel, Steeles Ave.; MTC, Highway 17 at Petawawa; MTC, Highway 54 at Kingsville; Ottawa-Carleton, Innis Rd., two structures; and Metro Toronto, Islington Ave. Those are the ones that have been approved this year. I can read off a great many more—

**Mr. Haggerty:** No, I think you've covered it very well.

**Hon. Mr. Snow:** —for which we are still awaiting approval.

**Mr. Sargent:** Mr. Minister, briefly what is the involvement of the Alberta government in the Ontario Transit Development Corp.?

**Hon. Mr. Snow:** That's the next item we hope to deal with if we get through GO Transit. It is not in this vote. It is strictly TATO we are dealing with now, and the Alberta government has no involvement. I wish they did. We could use some of their money.

**Mr. Sargent:** Is there anything in this \$22 million, such as this \$304,000, for automatic train control technology?

**Hon. Mr. Snow:** There is \$2,100,000 for construction on the Richmond Hill line, which

includes track signals and platforms. Most of that money this year is going to be spent on grading, as we mentioned a few moments ago.

**Mr. Sargent:** I am talking about the overlap from Krauss-Maffei.

**Hon. Mr. Snow:** No, that has nothing to do with that. But the CNR and the CPR, when we do implement GO service on their existing lines, they have to upgrade their signals. We pay for it, but they do it.

**Mr. Sargent:** Okay, leave that.

**Hon. Mr. Snow:** Oh, I know what you are referring to; the signal control systems for urban transit, which UTDC has been working on.

**Mr. Sargent:** This Urban Transportation Development Corp., isn't that under it?

**Hon. Mr. Snow:** That is not in this vote.

**Mr. Sargent:** I thought we were talking about urban transit.

**Hon. Mr. Snow:** No, this is provincial transit. It's nothing but the GO Transit system.

[4:00]

**Mr. Sargent:** The federal government has \$300 million in subsidies for intercity and urban transit equipment—

**Hon. Mr. Snow:** Has it?

**Mr. Sargent:** Your predecessor was in Ottawa four times trying to get a piece of the action. What have you done about it? What kind of share of this are you getting for Ontario?

**Hon. Mr. Snow:** Are you referring to the \$300 million that Mr. Trudeau announced in the election campaign?

**Mr. Sargent:** Yes.

**Hon. Mr. Snow:** We have not got a dollar yet of that money and we have not been able to get any agreement or any plan from the federal people.

I saw an announcement on Canadian Press wire the other day. Mr. Lang stated he would be announcing some plan for urban transit assistance within the next few weeks but we don't know what that might involve.

**Mr. Sargent:** In addition, there was a \$100 million fund set up for commuter rail equipment giving you a 50 per cent subsidy on new equipment. This fund remains unused. Have you had any of that money?

Hon. Mr. Snow: No.

Mr. Sargent: Why?

Hon. Mr. Snow: They just have not made any available.

Mr. Sargent: So it's all window dressing?

Hon. Mr. Snow: When that announcement was made during the second election campaign speech, I guess, we anticipated that our new double-decker cars, for instance—which are new transit vehicles manufactured in Canada—would qualify for that. I don't think it was a 50 per cent subsidy; I think it was to be a 25 per cent subsidy but that's never come through. None of that money has been made available yet.

We thought that would have applied to our 80 double-decker cars but the federal government turned it down.

Mr. Sargent: Ms. Bryden, in her dialogue, talked about a \$220 million capital investment in GO Transit. Is that figure right?

Hon. Mr. Snow: No. Ms. Bryden referred to the total amount of money available in the different votes for transit That involves \$168 million in municipal transit—that's both operating and capital subsidies—and this \$38 million in provincial transit which is what we are considering now.

Mr. Sargent: What's your capital investment in GO?

Hon. Mr. Snow: In this vote here we have \$22 million—

Mr. Sargent: Capital.

Hon. Mr. Snow:—capital this year.

Mr. Sargent: What is your investment in GO?

Hon. Mr. Snow: The total over the years since 1967? I don't know whether or not we have that.

Mr. Sargent: That's pretty important. One should know that.

Mr. Gilbert: This is capital investment?

Mr. Sargent: What I'm trying to say is that you're serving 30,000 people a day, through a capital programme of what—half a billion dollars? A quarter of a billion dollars? You're serving 30,000 people with a deficit of 50c per person or 60c per person per ride.

I'm trying to get across to you the fact that in western Ontario we have a whole god-damn area of 200,000 people who are cut

off from the rest of the province because we have no trains. It's completely unrealistic to ask us, out of the general fund, to subsidize 30,000 people to the extent of \$12 million a year or whatever, with a capital investment of say \$200 million or whatever. You don't know the figure yet. Am I on track or not?

Hon. Mr. Snow: I understand what you are saying but 30,000 riders per day, I believe, use this. It's serving—

Mr. Sargent: Same people every day, going to work, back and forth.

Hon. Mr. Snow: Yes. It's serving an area that—

Mr. Sargent: I don't give a damn. You're serving 30,000 people and it's costing me as a taxpayer in Owen Sound. We have no trains. We've got to take a bus and the whole trip to the hospital here takes a day and a half. It's not right that we should be subsidizing 30,000 people only.

Hon. Mr. Snow: We're subsidizing—

Mr. Sargent: In San Francisco they—

Hon. Mr. Snow: We're subsidizing your Owen Sound transit system, too.

Mr. Sargent: Like hell you are; that's peanuts. What is it, \$10,000 a year? I am talking—what do they call it in San Francisco, what do they call the system down there?

Mr. Gilbert: The BART system.

Mr. Sargent: Yes, the BART system. Jimmy, that is charged against—that creates value in real estate and the real estate people pay for that. Here you are charging the taxpayers of the province of Ontario, out of my tax dollars, to look after 30,000 people. And you then turn to 200,000 people up there and say you don't count, you don't rate train service. Now that's wrong.

Hon. Mr. Snow: Well, I think your figures are a little wrong. If you had train service—now we have nothing to do with that, you would have to talk to your federal friends.

Mr. Sargent: I know, but what have you got all these people here for then?

Hon. Mr. Snow: The main reason for the implementation of the GO system, starting back in 1967, was to supply an alternative method of transportation to the highway, because the highway capacity just can't carry the load.



**Mr. Sargent:** I'm in sympathy with what you are doing, I am not criticizing what you are doing. It is the inequity of the whole damn thing. Geographically we don't count up there, but these people have special treatment; 30,000 people have a built-in system, boom-boom back and forth, creating great real estate values out there.

**Hon. Mr. Snow:** We have a budget here of \$985 million this year in this ministry, in this total vote that we are talking about here, \$985 million. Now that is spread all over the province of Ontario.

**Mr. Sargent:** Mr. Minister, you are not with me at all.

**Hon. Mr. Snow:** I know, I am with you 100 per cent. We are building roads in certain areas, we are subsidizing transit in certain areas, we are subsidizing subways in Toronto and GO Transit, and air services in the north and so on.

**Mr. Sargent:** I am talking about specifically GO Transit Jimmy. I won't flog this any longer, but the fact is that we have been trying to have some dialogue with your people regarding, maybe a three times a week GO train to Owen Sound, anything at all, to service Chesley, the peninsula and that area. We always get the back of your hand, we never get any action on it.

**Hon. Mr. Snow:** You got a \$10 million ferry up there.

**Mr. Sargent:** Oh come on. That's a seasonal thing. We are talking about the rights of people to get to hospital, to get to the capital of their province. You say we don't count, but you say these people here, the real estate values down here, which you are creating with my money—I am not talking people, I am talking real estate values.

**Hon. Mr. Snow:** Mr. Gilbert would like to comment on that.

**Mr. Gilbert:** This is one thing, Mr. Sargent, we had hoped to do as far as that Toronto-Windsor railway corridor is concerned. You recall in the minister's statement on that, we had been working with the federal government along the lines of using that so-called spine to provide corridors—

**Mr. Sargent:** It is not going to work though.

**Mr. Gilbert:** Well they have withdrawn any intention of funding at this particular time, but in our discussions with the federal government it was along the lines of trying

to use that spine that they were developing and looking at the Grey-Bruce area to interconnect with that. Now you will recall—

**Mr. Sargent:** I remember Jim saying that in the House, but it's not going to work.

**Mr. Gilbert:** Well not now, because the spine—

**Mr. Sargent:** We are living today, not 10 years from now. I am talking about using my money now, Harold, to look after 30,000 people.

**Mr. Gilbert:** No; but Mr. Sargent, it wasn't the province that said they weren't going along with the line to Windsor.

**Mr. Sargent:** I know that. I'm not talking about that.

**Mr. Gilbert:** We had hoped that this whole thing could have been put together, and as you know we had a study going on.

**Mr. Sargent:** I know you did. I give you full marks for that. But the fact remains that here we are, we are Joe for you guys being big fellows to look after real estate values down here, look after 30,000 people to the extent of \$12 million a year losses; continuing losses, so much a ride, and we can't even get a train service to Owen Sound.

**Hon. Mr. Snow:** I assume we increased some real estate values in Owen Sound when we built the Eddie Sargent expressway.

**Mr. Sargent:** Thank you.

**Hon. Mr. Snow:** Somebody's property must have gone up in value. You know one of the first things I had to deal with when I became minister was a delegation from the city of Owen Sound wanting additional money to complete the Eddie Sargent expressway; I didn't know we had one.

**Mr. Sargent:** I think you must agree that we do have rights and we are not getting any rights and, by God, when the Liberal government comes into power we're going to look after people like ours.

**Hon. Mr. Snow:** Your government has been in power in Ottawa for most of my lifetime, and they haven't done much to improve transportation for your area or any other area.

**Mr. Ruston:** And your government has been in power in this province for 34 years.

**Hon. Mr. Snow:** We've done a lot in those 34 years too.

**Mr. Sargent:** Knowing the injustice that you are creating—I'll get off the soap-box now—is there any way we can have some dialogue insofar as you subsidizing a train service to our sector of the country? What's wrong with having some dialogue about that?

**Hon. Mr. Snow:** We're not in the position to subsidize train service.

**Mr. Sargent:** You're subsidizing 30,000 riders here.

**Hon. Mr. Snow:** We're subsidizing commuter service.

**Mr. Sargent:** All right. Subsidize people in the Grey-Bruce area.

**Mr. Gilbert:** Mr. Sargent, when you look at the QEW, for instance, how would you widen the QEW right now? We're at a position—

**Mr. Sargent:** It took me a half an hour the other day to come downtown from the Queensway at the Seaway Hotel, because there was an accident some place and traffic was reduced to one lane. This town's in trouble on that Gardiner; the whole sector is in trouble.

**Hon. Mr. Snow:** How much more trouble would it be in if the 30,000 people who come in on the GO trains every morning were all trying to jam into automobiles?

**Mr. Sargent:** I'm in favour of it, Jim, but I say we want equal treatment for our part of the province.

**Hon. Mr. Snow:** We're spending money to subsidize commuter service in the same way that we're spending money on the TTC to subsidize commuter service to keep as many cars as possible off the highways.

**Mr. Sargent:** Do you think the 150,000 or 200,000 people in that part of the province mean anything? Do they have any rights?

**Hon. Mr. Snow:** Certainly. I'm not sure how many would use a train service if there was a train service up there.

**Mr. Sargent:** We want basic service; that's all we want.

**Hon. Mr. Snow:** We're certainly spending a lot of money on highways—

**Mr. Sargent:** You can't get it out of the fare box; you say you can't get it out of the fare box—

**Hon. Mr. Snow:** We're spending a lot of money on Highway 10 to improve service into that area.

**Mr. Sargent:** Thank you. I appreciate it.

**Hon. Mr. Snow:** If you look at your green book, there are a lot of black marks in that area of the province this year.

**Mr. Sargent:** We've got no shock absorbers up there. The worst highway in the province is getting fixed up now.

**Hon. Mr. Snow:** Highway 6 and Highway 10 both received a lot of attention this year.

**Mr. Sargent:** In closing, can I ask if you will show cause why we shouldn't have basic train service through a commuter service?

**Hon. Mr. Snow:** With all due respect, we have the CTC, which holds hearings on train service; we have the federal government; we have the two railways that come under the jurisdiction of the federal government; and, with the constraints on money that we have available, I can't tell you that I'm going to give into subsidizing long-distance train service.

**Mr. Sargent:** But you're going to keep on subsidizing this thing, aren't you?

**Hon. Mr. Snow:** It's only 45 miles or 52 miles or something.

**Mr. Sargent:** Thank you, Mr. Chairman.

**Mr. Deputy Chairman:** That's all we have on vote 2405, item 1 and item 2.

Vote 2405 agreed to.

**Mr. Deputy Chairman:** We'll go back to vote 2402, item 1. I believe Mr. Ziembra is the first speaker.

On vote 2402:

**Hon. Mr. Snow:** Mr. Chairman, did we decide to deal with UTDC or did we not?

**Mr. Duksza:** I thought we were going back to vote 2402 now—

**Hon. Mr. Snow:** Yes, it's in vote 2402.

**Mr. Duksza:** —and then come back to the other thing.

**Hon. Mr. Snow:** My problem is that Mr. Foley of the UTDC is with us today; he cannot be with us tomorrow. Within vote 2402—

**Mr. Duksza:** We'll find it very easy to deal with vote 2402, I suspect, and we can

still come back this afternoon to deal with these two other items.

**Mr. Sargent:** Is he going to Germany?

**Hon. Mr. Snow:** I don't know where he's going. He's going some place tonight.

**Mr. Duksza:** We're both having the same problems in attendance. If we limit ourselves strictly to vote 2402—

**Hon. Mr. Snow:** Well, Mr. Foley is in 2402.

**Mr. Duksza:** Oh, good

**Hon. Mr. Snow:** All I'm saying is that perhaps we can deal with whatever anyone has to ask about the Urban Transportation Development Corp.

[4:15]

**Mr. Duksza:** This is lengthy and it will take probably an hour to question.

**Hon. Mr. Snow:** I don't know.

**Mr. Duksza:** While the Highway 400 matter is much simpler, I suspect.

**Hon. Mr. Snow:** Oh is it?

**Mr. Duksza:** So why don't we deal with that first?

**Mr. Ruston:** Why not use Mr. Foley while he's here?

**Mr. Duksza:** Yes, we are going to use him, but if we deal with item—

**Mr. Ziembra:** We were told we'd go through with Highway 400 first.

**Mr. Ruston:** You've only got 45 minutes. Is that what you mean, today?

**Mr. Wildman:** Take 10.

**Mr. Duksza:** It will only take 10 minutes.

**Mr. Ruston:** On Highway 400?

**Mr. Deputy Chairman:** Proceed, Mr. Ziembra.

**Mr. Ziembra:** Mr. Chairman, I'm going to move that the estimate for the Ministry of Transportation and Communications, vote 2402, items 1, 2 and 3, be reduced by the amount of the salaries, wages, administration, neighbourhood offices, planning, concept, development, impact studies, property and anything that's allocated to the proposed arterial street, Highway 400, going to St. Clair Ave., otherwise known as the Highway 400 extension.

**Mr. Duksza:** I second it.

**Mr. Ziembra:** I'd like to speak on it, Mr. Chairman.

I'm sorry I couldn't attend earlier meetings of this committee. I find it really interesting and I regret learning that Mr. Sargent can't have train service and commuter service. The thoughtful people of Parkdale and Bellwoods and Dovercourt, Oakwood and High-Park-Swansea, would like to give up this generous gift that's been inflicted on us and whatever moneys are coming our way, we'll share them with our neighbours to the north, Mr. Wildman's riding perhaps or that of Ian Angus, and we'll just forgo this considerable expense.

**Mr. Sargent:** You are generous.

**Mr. Ziembra:** Yes we are.

**Mr. Philip:** We just knew you'd be here for a while, Eddie.

**Mr. Ziembra:** This isn't in any way trying to be provocative or controversial. I think that the people of west Toronto have made their position quite clear inasmuch as they all voted NDP the last time around because the NDP oppose this particular superhighway going through their neighbourhoods.

Of the many justifications that have been put to us, and I'd like to ask the minister about this, one of the ones that is closest to his heart, as I understand it, as a young man you travelled to Toronto on the back of a truck that was bringing livestock to the stockyards and you—

**Hon. Mr. Snow:** No, I rode in the cab, not in the back.

**Mr. Ziembra:** You remembered that there was considerable difficulty on this trip and in your opinion it hasn't improved over the years, and this was one of the justifications for the Highway 400 being built. Are you still willing to go with that, Mr. Minister?

**Hon. Mr. Snow:** Well my opinion hasn't changed. I feel that the Highway 400 arterial road extension into that industrial area of west Toronto would be of great assistance to the people in that area.

**Mr. Ziembra:** I'm going to deal only with the industrial area, because as we all can understand the highway will be of benefit either to the people living in the area or the businessmen living in the area. I don't think any neighbour would be too impressed with a highway going through their kitchen. In regard to this propaganda that your ministry has sent out, Mr. Minister, the proposed



arterial street, Highway 400, it keeps referring to it as a street. I'd like to question you as to why you would deliberately set out to mislead the people of west Toronto. I have had a number of complaints from people living along the proposed route that at first they thought they were saved because the highway took a sharp zig to the right or to the left of their home. But then when we looked at it more closely there seems to be really no rationale other than the fact that someone suggests this is land you already have in your possession or you have some sort of control over it and you've laid out the proposed route going down and back up. Now some of these businessmen thought that was really neat—that that was all one way, all the business, all the trucks, would go down and back up.

**Hon. Mr. Snow:** Now don't be silly.

**Mr. Ziembra:** But since then that has been explained to them and I would like to find out from you why you would have this arrangement, especially these very sharp angles. You've printed in three languages at considerable expense. It was meant to lay to rest some of the fears that exist in these areas. I think you've raised more than you've answered. You've raised more questions than you have answered with this and I would like to know what it is that you are trying to do with this leaflet.

**Hon. Mr. Snow:** We are trying to advise the people of the boundary area of the study. Basically, on the route down as far as Eglinton, those white lines on the map outline the boundary of the property the ministry owns. With one or two exceptions we own that right of way right from Jane St. to Eglinton. From Eglinton to St. Clair the white lines outline the study area.

Certainly, I hope, no one was led to believe that those white lines were the proposed alignment of the highway. I mean that is the boundary of the study area; so that the study will only consider possible routes through the section of land enclosed within that white line.

**Mr. Ziembra:** Do you not agree that you might have said that somewhere on the picture, because it certainly does look like the highway?

**Mr. Gilbert:** Mr. Chairman, this is the whole point of the public participation. There are the drop-in centres, as you know; our people have attended meetings of a number of ratepayer groups and what-have-you; quite frankly if there was a misunder-

standing we do the best we can do in trying to come up with—as you called it propaganda—certainly we don't look on it that way.

The whole idea was to try and let people know what we are doing. At the drop-in centres and the meetings with the public we are prepared to answer any of the questions such as you are raising. Quite frankly we have been most encouraged by the real constructive comments that are coming out of these discussions with the ratepayer groups. Our people have reported the minister and I on occasion—

**Mr. Duszta:** The constructive comments are don't do it, that's constructive.

**Mr. Ziembra:** Would you take into consideration the recommendation that the highway is not wanted by way of constructive criticism? I'll just leave that because it's a question that I think—

**Mr. Gilbert:** I would just point out, Mr. Chairman, that this was part of the total Soberman report, the Highway 400 was part of the total Soberman report. The Highway 400 was part of the total Soberman report which was accepted. The recommendations of Soberman as far as—

**Mr. Ziembra:** I want to wind up, Mr. Chairman, by pointing out to the minister, who is familiar with the way stockyards work, that the traffic going to the stockyard goes between the hours of 7 p.m. and 7 a.m. They really do like their location because they are going against the flow of traffic, morning and night. When they return traffic is going the opposite direction, you see. When one stockyard spokesman found out that your arterial street was going to have lights, he thought that would add more to his problem than it would solve and he wasn't too impressed with your proposal. So if it is that particular group that you are considering, perhaps you can meet with them again.

**Hon. Mr. Snow:** I haven't met with them. I don't know what you are talking about really. Are you saying that the traffic going to the stockyard goes between 7 p.m. and 7 a.m.?

**Mr. Ziembra:** Yes.

**Hon. Mr. Snow:** Where have you been living all your life?

**Mr. Ziembra:** I live very close to the stockyard.

**Hon. Mr. Snow:** Well I happen to know that the majority of trucks hauling livestock

from farms to Toronto, to the stockyard, don't go during that period of time.

**Mr. Ziembra:** They go very early in the morning.

**Hon. Mr. Snow:** They start picking up cattle from the farms in the morning and get down to Toronto before noon normally, certainly from my area of the province—

**Mr. Wildman:** From the north they pick them up in the afternoon and drive all night and arrive early in the morning.

**Hon. Mr. Snow:** This is quite possible.

**Mr. Ziembra:** This is according to the men in the stockyards. This isn't my own analysis.

**Hon. Mr. Snow:** I stated at one meeting I had with the group of residents that there was a considerable amount of traffic. The stockyards area and the meat packing plants in that area serve the majority of the Province of Ontario and cattle are trucked there from all over southern and northern Ontario, and then the by-products are trucked out. I don't think it's going to be possible in the foreseeable future or maybe not advisable to relocate the Toronto stockyards or Canada Packers or all the plants that are involved in that industry. I don't think you would want that because the majority of the employment in that section of Toronto is supplied by those industries. If a better arterial route can be developed to handle the traffic to and from those industries, I think it will be advantageous to everybody that lives in that area.

**Mr. Ziembra:** I'll conclude with one last remark. Many of the other industries are very fearful of the added congestion that will be brought into their immediate area by the highway, among them the trucking outfits. There's a new supermarket, Darrigo's, going in there which is very concerned about its access being cut off. Four distributorships that could employ up to 100 people could be wiped out. There's Freedman Scrap Iron, in which a fellow has invested a small fortune. I think you could easily spend your whole budget just buying him out. He's providing a very worthwhile service to this community. Talking about relocating, there's nowhere in Metropolitan Toronto this man could relocate where he could even begin to get a recycling scrap metal licence. On that note I'll just conclude.

**Mr. Duksza:** Can we vote on that?

**Mr. Ruston:** I wonder if I could have one of these folders.

**Hon. Mr. Snow:** This is an information piece that was mailed out to all the homeowners and business and property owners in the study area to advise them of the limits of the study area and what was proposed for the 400 extension.

**Mr. Deputy Chairman:** Did you wish to speak, Mr. Ruston?

**Mr. Ruston:** Yes. I'm not too familiar with this but I have some notes here. Mr. Reid was familiar with this and he's not here right now. With regard to the property, they discovered three sections amounting to 24 acres of land of which six acres were privately held. I think this was brought to our attention on Jan. 7. Is this some of the right of way that we're discussing now where you were mentioning that you have not got all the right of way?

**Hon. Mr. Snow:** Look at that map, starting from the north where Highway 400 ends now at Jane St., coming south as far as Eglinton Ave. Do you see where Eglinton Ave. is?

**Mr. Ruston:** Yes.

**Hon. Mr. Snow:** That right of way is almost totally owned by the ministry. There's a section in there that is owned by the borough of North York, I guess it is, and I understand one private property on that right of way has to be purchased. The land owned by the borough of North York will be exchanged, I understand, for other surplus lands that we have in the area for park purposes and so on. That will give us the right of way from Jane St. down to a short distance south of Eglinton. From there down to St. Clair no alignment has been defined yet. This map shows the study area and somewhere within those two white lines it is proposed that—you see the CN-CP rail line running down there; there is a rail junction just below that, and one above it too, I guess—anyway, the new alignment will be somewhere within that area. As to whether it crosses over the railway track and runs west or east of the line, it will be part of the study to define where the best possible route is through that section.

[4:30]

**Mr. Ruston:** As to blazing another right of way through here, we've had the Spadina experience. Being a person from a more or less rural or semi-rural area, when Davis made his famous announcement in 1971 that he was going to stop expressways, and cities were going to be for people, as a layman

and an onlooker, I thought that it was foolish and stupid to go to the expense of building such a right of way as they did and then stop it. Now, of course, you are going to use it for what they call an arterial road as far as Eglinton, from what I can gather; and I have to say myself—it's just my own opinion—that that would be logical. It was built and it should go there.

If you are going to start another right of way, I would have great reservations about that. I just can't help thinking that you're going to blaze another one through here and, three years later, somebody might decide that cities are for people, and not for cars, and you may have to stop another one. You may get it opened up, and another government or another leader might decide that that's not where we want it or we don't want that type of transportation. I just can't understand whether this is good planning. I don't think it is. On the other hand, since the highway transportation is a responsibility of Metro Toronto, what are their latest thoughts on this type of a roadway?

**Hon. Mr. Snow:** There is, of course, a resolution of the Metropolitan Toronto council to build it.

**Mr. Ruston:** I'm sure that the city—

**Hon. Mr. Snow:** You're talking about punching another right of way through there, but the right of way is there to Eglinton Ave.

**Mr. Ruston:** Well—

**Hon. Mr. Snow:** Two-thirds of the length of right of way that is required for this connection is already there. It's already owned and there are no buildings on it. It's a clear right of way.

**Mr. Gilbert:** This was part of the Soberman report, which Metro commissioned, as you will recall. He came out with recommendations for Highway 400 going down to St. Clair, the Spadina going down to Eglinton, the rapid transit somewhere along Eglinton. This is all part of trying to resolve the traffic problem in the northwest part of Metro, which was referred to several times today. If you start pulling out these plugs, then his recommendation falls apart, which is the one that Metro council sent a resolution to the minister asking the province to subsidize.

**Mr. Ruston:** Mr. Chairman, I wonder if I could have a copy of that resolution or whatever we've got here. I want to look it over, so perhaps someone else could take over from here.

**Hon. Mr. Snow:** I'm sorry. What are you requesting, Mr. Ruston?

**Mr. Ruston:** I think there is a motion before the committee that I want to have a look at.

**Mr. Deputy Chairman:** We could have the clerk photostat some copies.

**Hon. Mr. Snow:** Okay.

**Mr. Deputy Chairman:** Did you want to say any more at the present time?

**Mr. Ruston:** No, not right now.

**Mr. Duksza:** Mr. Minister, how much money is involved in it?

**Hon. Mr. Snow:** In what?

**Mr. Duksza:** How much money is involved in planning development? How much money will be allocated for Highway 400 in the future, and how much right now? How much in the estimates would you propose to spend right now and how much in the future?

**Hon. Mr. Snow:** Well, there's no money in the estimates this year for construction.

**Mr. Duksza:** How much for planning and development?

**Mr. G. H. Johnston:** That's basically an in-house project being done by the staff. There may be the need for bringing in some specialists for certain areas of the work involved with the environmental aspects, but it's being carried out primarily as—

**Mr. Duksza:** In-house or otherwise, how much would you calculate? How many people are involved, how much it costs, the time element?

**Mr. G. H. Johnston:** Approximately three people will be involved on a continuing basis on the project for the duration.

**Mr. Gilbert:** That's the planning now, you're talking about.

**Mr. G. H. Johnston:** Planning aspects, yes.

**Mr. Duksza:** So, in fact, whether it is in-house or not, some decision is made to use part of the financial resources on which we are voting right now to plan and develop the future expressway, right? Am I correct? How much would you estimate for me is the cost?

**Mr. G. H. Johnston:** It would come in around \$50,000.

**Mr. Duksza:** Around \$50,000?



**Mr. Gilbert:** Yes, in the planning.

**Mr. Duksza:** But what we're very specifically concerned with here is more technical than anything else. The amount of money which is now involved in development of planning of Highway 400 is what our motion is about, that we want to move it out. Consequently, if there is no money which we are now voting on for that, then I assume that if the decision goes one way or another, the government sticks to the point that if there is no money it cannot shift the money from another department for this purpose. I think to facilitate it for us, we are suggesting in the motion that Mr. Ziembra brought in that we vote against providing money for that whole division.

**Hon. Mr. Snow:** You're going to remove the whole \$7,227,000 for planning. Is that what you're suggesting?

**Mr. Duksza:** No, we want to make sure that when we are voting that we are removing the money for any future work done on Highway 400.

**Mr. Gilbert:** Can I just say this, Mr. Chairman. You know, really the people who are involved in the planning aspects of this right now are getting the input from the people in the area, the industry and everything else, and by the resolution you're putting forward you are denying the rights of those individuals—

**Mr. Duksza:** Please, bear with me. I know what I'm doing. I'm against the highway and I want to remove all possible money from it, and please do not misinterpret me. You sound like a psychiatrist.

**Hon. Mr. Snow:** Heavens, no!

**Mr. Duksza:** I know perfectly well what I'm doing here.

**Mr. Philip:** Two of them in the House is enough.

**Mr. Deputy Chairman:** Are you through, Mr. Duksza?

**Mr. Duksza:** I have not heard the minister's comment.

**Mr. Deputy Chairman:** Oh, I'm sorry.

**Hon. Mr. Snow:** I don't know what you're—

**Mr. Duksza:** I will have to start all over again. I am concerned that we have to vote right now in our resolution on money that we are spending on Highway 400. I want to

remove it, if the resolution passes, to remove it entirely from what it is and commit the government, once we vote on it, that this does not go through any other way; that you don't shift the money. That's what I want made clear from you. If you are going to let the resolution go through and then move the money from somewhere else, then I want to include all the other possible avenues for extension of it, if necessary the whole \$7 million. At the moment, we are trying to deal only with the money which you're proposing, as your sidekick has said, to "illuminate" the people in the district.

**Hon. Mr. Snow:** First of all, this project is being carried out jointly by my ministry and by Metropolitan Toronto. The study team, as Mr. Johnston has said, will probably be three people working full-time on this project from the ministry and approximately the same number from Metropolitan Toronto. When the project is built, it's a 50-50 shared project; half from Metropolitan Toronto, half through the ministry.

**Mr. Duksza:** You mean when it is going to be built? Or are you talking of the present thing?

**Hon. Mr. Snow:** Everything.

**Mr. Duksza:** Everything.

**Hon. Mr. Snow:** Property acquisition, planning, designing and building is a 50-50 proposition. We have a resolution from Metropolitan Toronto council—I don't have a copy of the resolution here—asking that this project be built.

**Mr. Duksza:** Excuse me one second then, I do want you to clarify it. You say it is a 50-50 proposition. We are consciously voting against any money for the development of this highway or any commitment from what will arise from the development. Are you quite clear what I am doing here? I don't want you afterwards to move the money for it from another department. I want you to clarify this.

**Mr. Sargent:** What you are talking in dollars.

**Mr. Duksza:** I want him to clarify exactly what he means. He says it is a 50-50 project. I know that he cannot speak for Metro. We agree with that. Metro has been doing it itself. But the government is committing itself to a 50-50 approach, money both for the development and for building at the time.

**Mr. Ruston:** This motion here has got more than I can see, Mr. Chairman. It seems

to me to take out all of vote 2402, items 1, 2 and 3 according to this motion.

**Mr. McClellan:** The intent of the motion is simply to remove from the vote all moneys that are allocated towards planning and route selection and route design for Highway 400 extension. That should be fairly clear. We are not proposing any elimination other than funds that are specifically allocated for the design or selection of the route for Highway 400 extension. If the ministry can give us an exact figure and attach it to a specific item in the vote, we would be pleased to incorporate that.

**Mr. Sargent:** I lost you. What are you saying again now?

**Mr. McClellan:** We simply want to remove the money that has been allocated within this vote, 2402, that has been allocated towards the development, planning or selection of a route for Highway 400 extension.

**Mr. Sargent:** No numbers.

**Mr. McClellan:** I understand from what the official said that they have allocated about \$50,000. It amounts to three full-time staff and that represents the total dollar commitment in these estimates, the total dollar allocation toward Highway 400 route selection. They are now in the process of trying to decide where the damn thing ought to go. What we are saying to this committee is that we don't want a single penny spent by this government in this current fiscal year on Highway 400. If their plans for this year are to spend money on route selection, that is what we want to take out of the estimate. We simply do not want this government spending any money at all on the Highway 400 project.

**Mr. Dukszta:** The resolution binds the government not to complete it at the moment. That is what we are voting on.

**Mr. Sargent:** If the city of Toronto has a parallel programme going along the same way, how do you call them off, if we make a decision now? I am not saying we are not for you; that is up to my colleagues here. How do you call the city off too?

**Mr. Ziemba:** The explanation is that the province has agreed to pay for it in advance and get the money later on from Metro. If we head them off at the pass they are not going to build it on their own.

**Mr. Peterson:** Are you saying you can't spend it or you can't lend it?

**Mr. Ziemba:** The ministry is funding the money.

**Mr. Peterson:** You are saying you can't lend the money then?

**Mr. Ziemba:** We don't want them involved; we want the province kept out of it.

**Mr. Peterson:** I am not sure of procedure, but are you sure?

**Mr. Dukszta:** Yes, that is quite clear; they cannot go ahead if there is no money for it.

**Mr. Mancini:** Now you sound like a psychiatrist, and I don't blame you.

**Mr. Peterson:** What are the financial arrangements?

[4:45]

**Hon. Mr. Snow:** The arrangements are that this project was to proceed along with the extension of the Spadina. Both are 50-50 projects with the ministry supplying 50 per cent of the funds and Metropolitan Toronto supplying 50 per cent of the funds.

The agreement was that the management of the Spadina project would be carried out by Metropolitan Toronto staff and the management of the 400 project would be carried out by ministry staff. But that is strictly for the mechanics of managing the project. The payments, the costs, of both the projects are shared 50 per cent Metropolitan Toronto and 50 per cent ministry.

**Mr. Ziemba:** On a point of order, Mr. Chairman, is it not true that the province is advancing all the money for the Highway 400 project?

**Hon. Mr. Snow:** They will be adjusting moneys between the two projects as they proceed.

**Mr. Gilbert:** Mr. Chairman, the property below Eglinton off Spadina, which Metro owns, the province has agreed to buy, as you know, and to put the 3 ft. section in both the borough of York and the city of Toronto. We are assessing—

**Mr. Grande:** Mr. Chairman, I believe we are talking about the 400 project.

**Mr. Ziemba:** It's a point of order.

**Mr. Gilbert:** I was trying to answer the comment about the funding and I was pointing out that on the Spadina there was property which the province is committed to buy below Eglinton which costs X dollars. At the same time we own some property on 400, as

has been stated, and it was decided that the two projects, as the minister has said, would go ahead and—

**Mr. Sargent:** Well, hell, wouldn't the city of Toronto be autonomous? They want the project, don't they?

**Mr. Duksza:** They want one, not the other.

**Mr. Gilbert:** Metro Toronto has given us a resolution to decide—

**Mr. Sargent:** The autonomy of the city of Toronto should supersede what we do here. If they elect to go that route we have to go along.

**Hon. Mr. Snow:** A resolution was passed by Metro council asking that the Province of Ontario be requested to construct an arterial road as an extension of Highway 400 from its present southern terminus at Jane St. to Eglinton Ave., and the construction by Metro corporation of an arterial road as a further extension of Highway 400 from Eglinton to the vicinity of St. Clair Ave. and Keele St.

They approved in principle that the commissioner of roads and traffic be directed to report on the route to be followed. This was the resolution passed in February, 1975, by Metropolitan Toronto. We are responding to the resolution of Metropolitan Toronto.

**Mr. Sargent:** Can the NDP show cause as to what right they have to tell the city of Toronto what route they are going to go?

**Mr. Grande:** They tell us.

**Mr. Deputy Chairman:** Just a minute, please, I think Mr. McClellan still has the floor.

**Mr. McClellan:** Right. I want to deal with two things. One was the suggestion made by, I believe, the deputy — am I correct? — that we are denying the people of the area input into the planning process.

Let me suggest to you that the people of the area spoke loud and clear on Sept. 18 in the election when it was put to them very clearly by our party that we were opposed to the extension of the 400. Virtually every riding adjacent to or touched in any way by the Highway 400 expressway voted against your transportation policies and voted for our transportation policies. I take that as the loudest, clearest and the most simple mandate which has been given on the subject and until the electors in the affected area choose to

decide differently that is the decision we intend to abide by.

Secondly, I am advised indirectly that it is required that a motion of this kind have a dollar figure attached to it. The figure that the ministry has given us so far is \$50,000 for three staff.

**Mr. Gilbert:** Mr. Chairman, we would have to try and make that out. I think the question was asked about what we figure. Quite frankly, we would have to find out what staff was involved, what salaries are paid and what have you to answer that question correctly, but we would have to get that and bring it back.

**Mr. McClellan:** Why is that a difficulty? Which item would it be located in? Would it be under item 2, planning?

**Mr. Gilbert:** Vote 2402, item 2, is the planning aspect of what you are talking about.

**Mr. McClellan:** How much additional funds would there be, aside from the \$50,000? That represents the three staff positions. Is that correct?

**Mr. Gilbert:** The point is that the staff who are working on this are also working on other projects as well. You asked Mr. G. H. Johnston to give some idea about how many people are working. To answer that question honestly and correctly, we would have to find out how much time these people are spending on it, what are their salaries and everything else, to come back to you and say, "This is how much in this vote is properly allocated to the Highway 400 project." I think that is the question that was asked.

**Mr. McClellan:** You are just talking at this point about staff, however?

**Hon. Mr. Snow:** Yes. There will also be some consultants required. Also, you've included in your resolution the community drop-in centre, other administration costs, neighbourhood offices, planning concept, development, impact studies and propaganda allocated to the proposed road. Now, we can't tell you here how much money would be involved in that resolution.

**Mr. McClellan:** Frankly, I find it rather difficult to comprehend that for a project as controversial as this one, which has had such a long and sustained public criticism, you can't even tell us how much money you have allocated for it in the current fiscal year. Frankly, that is beyond my comprehension at



this point, and I am going to ask you again to give me an accounting of the amount of money that you've put into the 1976-1977 estimates for the planning of the route of the Highway 400 extension.

**Hon. Mr. Snow:** I can't supply you with that information here today.

**Mr. McClellan:** How quickly do you expect you would pull that together?

**Hon. Mr. Snow:** We would attempt to have it when the committee meets again: I'm sure we can have it tomorrow.

**Mr. Gilbert:** You see, this is an in-house study, and to go into all the factors you've mentioned, we could do the best we could by the time the committee meets again, but I don't know how we could definitely promise you that we would have it.

**Mr. Peterson:** Mr. Chairman, may I suggest that we make a formal request to have these numbers provided by tomorrow's meeting—we have that right, I think, as a committee—and stay the motion until that time? I think the timing is fairly critical.

**Hon. Mr. Snow:** We will certainly attempt to come up with as detailed an estimate as possible as to what money would have been spent out of that \$7,227,000 on this project during the year.

**Mr. Chairman:** Would that be agreeable to you, Mr. Ziemba?

**Mr. Ziemba:** Yes. Thank you very much.

**Mr. Sargent:** And further, Mr. Minister, perhaps we could have the opinions of the other boroughs tomorrow. I understand the borough of York is opposed to this.

**Mr. Gilbert:** No, the borough of York wants the 400. We go back to this whole package, Mr. Sargent: They say, "If Metro is building Spadina, we want 400 at the same time." They have made it very clear to my ministry that they see the two projects in exactly the same way as Soberman.

**Mr. Sargent:** Well, this motion from the borough of York says no.

An hon. member: To Spadina.

**Mr. Sargent:** And 400.

**Hon. Mr. Snow:** Which motion is that?

**Mr. Sargent:** It says:

Whereas the borough of York has requested that the provincial government review its decision to extend the Spadina

Expressway south to Eglinton Ave., therefore be it resolved that the council of the city of Toronto request the Premier of the province and the government of Ontario to withdraw support for the extension of the Spadina Expressway south to Eglinton Ave. and Highway 400 south to St. Clair Ave. as four-lane arterial roads; that the Leader of the Opposition and those MPPs representing ridings in the city of Toronto be requested to support this request.

**Hon. Mr. Snow:** This is not the city of Toronto resolution?

**Mr. Sargent:** The borough of York.

**Mr. Peterson:** With great respect, I am not sure that that is the obligation of the ministry to provide that kind of information. If they have the information they can make it available, but that's not necessarily their bailiwick or their jurisdiction.

But, Mr. Chairman, if I may, I think that there should be specific instructions go forward from this committee to request those numbers tomorrow and to stay this matter until tomorrow. Do you want a motion to that effect, or do you want an amendment? What do we need?

**Mr. Ruston:** Would you have it available, or do you need until Monday?

**Hon. Mr. Snow:** Well we'll have to have it. I mean, that's the decision of the committee.

**Mr. Ruston:** Right.

**Hon. Mr. Snow:** We'll prepare as detailed an estimate of the costs of these specific items as possible.

**Mr. Peterson:** As best as you can, given the time constraints, which we all appreciate and understand.

**Mr. Williams:** There is a question on this procedural point. As far as the cost estimates this motion instructs be brought forward tomorrow, they would relate to what time period? What studies and meetings are involved, and so forth?

**Hon. Mr. Snow:** I believe what the members are requesting is to know the amount of money that would be spent from today on for the balance of this fiscal year, which is the only money that is in these estimates.

**Mr. Williams:** To accomplish what ends?

**Hon. Mr. Snow:** To work on the highway 400 project.

**Mr. Williams:** Is it anticipated, Mr. Minister, that when these moneys are expended and the work undertaken complete, the studies for the project could proceed forthwith?

**Hon. Mr. Snow:** You never know how long it is going to take with all the participation, but we had hoped that by the end of this fiscal year the initial impact studies and route selection studies would have been completed. The object of the motion is to remove any moneys from these estimates that would have been spent on the Highway 400.

**Mr. Williams:** But I am wondering, Mr. Chairman, in seeking out this information, whether we couldn't find there might be additional moneys available in order to expedite undertaking these studies and getting this work done. I think it is, indeed, an affront to the people in the area to suggest that they be denied the right to public participation. It appears that our socialist friends want to continue to hide their heads in the sands on this issue.

**Mr. McClellan:** We ran against your policy and we won.

**Mr. Duksza:** You are ramming it down their necks.

**Mr. Williams:** As a matter of fact, Mr. Minister, I would be delighted if they would force an election over this issue, because I think they would be sadly disappointed. It's about time we called a spade a spade and stopped this grandstanding that they have been engaging in for the past while.

Interjections.

**Mr. Williams:** But back to this point of order, Mr. Chairman. I think that I would like to see some figures and if we could find additional funds to expedite this, if in fact the study and review and the public participation isn't going to take place within the fiscal year. Because, obviously, they will be back to grandstand again next year over the same issue. I think the people out there should be entitled to a fairly early determination of this matter to be assured that their interests and rights of—

**Mr. McClelland:** Why don't you run in the west end?

**Mr. Williams:** —that their rights and interests have been protected, based on the thorough review and study of the matter. It may be, Mr. Minister, that we should be looking at the possibility of providing additional funds, rather than deleting the funds that it is being suggested be deleted.

**Mr. Peterson:** On a point of order; that is not a point of order.

**Mr. Deputy Chairman:** You are quite correct, it wasn't; and as such it is inadmissible.

**Mr. Williams:** On a point of privilege on the point of order, Mr. Chairman.

**Mr. Deputy Chairman:** It being now 5 o'clock, I declare the meeting adjourned.

The committee adjourned at 5 p.m.

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**Minister of Transportation and Communications officials taking part:**

Gilbert, H. F., Deputy Minister  
 Howard, W. T., Director Implementation, Toronto Area Transit Operating Authority  
 Johnston, G. H., Executive Director, Planning Division













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# Legislature of Ontario Debates

**SUPPLY COMMITTEE—2**

**ESTIMATES, MINISTRY OF THE  
SOLICITOR GENERAL**

**OFFICIAL REPORT — DAILY EDITION**

**Third Session of the 30th Parliament**

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**Wednesday, June 9, 1976**

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**Speaker: Honourable Russell Daniel Rowe**

**Clerk: Roderick Lewis, QC**

**THE QUEEN'S PRINTER  
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# LEGISLATURE OF ONTARIO

## SUPPLY COMMITTEE

WEDNESDAY, JUNE 9, 1976

The committee met at 2:09 p.m. in committee room No. 2.

### ESTIMATES, MINISTRY OF THE SOLICITOR GENERAL

**Mr. Chairman:** I see a quorum. I think the minister has an opening statement.

**Hon. Mr. MacBeth:** Thanks very much, Mr. Chairman. Members of the committee, I think you all know my officials that are here but I would like to introduce them because I assume that they will be coming to my aid from time to time.

Al Russell, who is on my left, is my deputy minister. Frank Wilson on the far right is the assistant deputy. Then there are Peter Gow and Lorne Edwards with our treasury and Jane Allen, an assistant of mine. Doug Robson, who is my executive assistant, was here and he'll be back shortly.

**Mr. Chairman:** Just one thing, as your staff makes a statement at any time, and you're quite free of course to refer to them, I wish they would state their names for the purposes of Hansard.

**Hon. Mr. MacBeth:** I think they have all heard that. This year we tabled our annual report. I think in times past Mr. Singer has been critical of the fact that the report was not tabled. I know there is some interesting reading in there and some interesting questions as a result of tabling it in advance, but at least it will give you perhaps something that you haven't had other years.

I have a 10-page statement that I would like to read, reviewing some of the work of the ministry in the last year. I would like to present to you a review of the various programmes.

**Mr. Singer:** Shouldn't we get copies of it?

**Hon. Mr. MacBeth:** Mr. Russell has a copy I think. I'm really not sure, Mr.

Singer, that it is worth following, but thank you for the assumption that it might be.

I would like to present to you a review of the various programmes and activities contained in the estimates for the Ministry of the Solicitor General during 1976.

During 1975, the ministry continued to implement a wide variety of programmes, most of which were concerned with the improvement of policing in Ontario.

Many of the ministry activities were the result of the task force on policing in Ontario, which completed its work early in 1974 and presented its recommendations to the Solicitor General. Of the 170 recommendations made by the task force, 80 have been implemented completely. Recommendations falling within this category are either existing policy and practice, or have been accepted and implemented, in whole or in part.

Sixty-four recommendations are now in the process of implementation. These include recommendations which are in various stages of implementation, or are under active consideration.

Twenty-six recommendations have not been implemented. In seven of these, no action has been taken to date. They have been deferred because of other priorities, or because circumstances warrant deferment until other decisions are made.

The remaining 19 recommendations were rejected, either because the decision was made to act on new policy or because current policy was deemed satisfactory for the present.

We are prepared to describe the actual recommendations in more detail later while our estimates are being discussed.

As part of the ministry's goal to provide police forces with the best technology possible, an information/intercommunications project was continued during 1975. The project, which began in 1974, is designed to encourage municipal forces to make use of modern communications technology. It includes:



The provision of a common communication capability between all police forces in the province; the co-ordination of police radio systems development; and the extension of CPIC—the Canadian Police Information Centre—a national data bank for police officers.

As part of the project, the ministry is continuing to provide conditional grants to municipal police forces through the integrated radio services programme to improve the level of communications services.

Under the conditions of the integrated radio services programme, the Province of Ontario pays 75 per cent of the cost of new radio systems for small municipal forces and 50 per cent of the cost for larger.

Municipal forces receiving conditional grants during the past fiscal year include Alliston, Belleville, Bradford, Fort Frances, Gloucester, Ingersoll, Paris, Pembroke, Peterborough, Tillsonburg and Woodstock.

In May, 1975, the OPP formed a component to provide Indian policing services. The responsibility of this component is the management of the federal-provincial cost-sharing programme for band constables in Ontario, the management of the northwestern Ontario policing programme, the development and management of a similar programme for northeastern Ontario, and the blending of all policing programmes related to native people.

This improved police service, financed under the terms of the agreement, will stress preventive policing and community relations. It is being staffed by Indian band constables selected through consultations between band councils and the commissioner of the Ontario Provincial Police. The constables are recruited, trained and appointed as special constables by the commissioner of the OPP. They are supervised by the force and assigned policing duties on the reserves and in adjoining areas. They have the complete back-up support and facilities of the OPP for crime prevention and law enforcement.

An extensive series of visits to the different Indian bands throughout the province was implemented to explain the terms of the agreement. By Dec. 31, 1975, 33 Indian special constables were on strength and being administered by the OPP.

In addition to the band constable programme, the existing northwestern programme has been expanded to encompass the northeastern sector of the province. South Porcupine became the base for the fly-in patrol of the northeast. The reserves at

Fort Albany, Attawapiskat, Winisk, Fort Severn, Kashechewan and Ogoki are visited on a regular basis by OPP personnel.

I'm glad you've got the spelling of those before you—you'll know what I'm talking about; you won't from the pronunciation.

A second aircraft is stationed at Sioux Lookout. Personnel visit the reserves at Pikangikum, Deer Lake, Sandy Lake, Big Trout Lake, Fort Hope, Pickle Lake, Cat Lake and other reserves en route.

A total of nine police officers are manning subdetachments at Grassy Narrows, Shoal Lake, and Minaki. Additional men have been transferred to these areas to take up their duties early in 1976. The band constable programme and the northwestern and northeastern projects have generally been well received by those concerned and 1976 should see further expansion.

[2:15]

This increase in OPP presence in the north will permit a more rapid response to calls for assistance and more frequent visits to the reserves. In this way, it is hoped that there will be a closer association and understanding between police and the bands.

In addition, the OPP has appointed Mr. William Brant as full-time Indian OPP liaison officer. He is responsible for assisting in the expansion of the Indian OPP liaison committees until they embrace the entire province. He will help promote and arrange an exchange of information between committees; monitor the effectiveness of the committees; study and assist in the implementation of feasible committee recommendations which are beyond the jurisdiction of local members or where the ramifications involve police or non-local participation; and undertake whatever additional related tasks that time and circumstances should indicate.

The report on police training in Ontario was received by the ministry in January, 1975. The report was produced by a study group under the direction of the advisory committee on general police training. It sets out a recommended training system for Ontario. The Ontario Police Commission is now working on implementing this.

A small team of seconded police officers, under the direction of an OPC adviser is developing course outlines on probationary, refresher, supervisory and senior officer training. These outlines will be used by instructors at the police college to standardize course content, format and duration.

During the year, the OPP instituted a management development programme for senior officers, which will serve as a possible model for application on a province-wide basis. The short-term management development programme is designed to identify and train potential future managers to meet the projected rate of accelerated attrition in the force managerial ranks. The programme consists of a series of 22 courses covering a broad range of managerial practices.

The design of a long-term management development programme for all ranks up to and including staff superintendent commenced in 1975 as an extension of the short-term programme. Because of the necessity of integrating management education into a structured promotional system, it was necessary that a new process be developed for the measuring of individual performance, ultimate training and promotion. To this end, a revised promotional process was designed for implementation in 1976. In addition, improved supervisory and command courses are being prepared at the Ontario Police Commission.

The OPC has undertaken a project on police recruit standards to assess and develop selection procedures. Recommended recruitment procedures were prepared for four different-sized forces in Ontario—that is large forces, major urban and regional forces, other city forces and town, townships and rural forces.

Recommendations cover the following areas: Selective criteria and planning; recruiting, that is the attraction of appropriate candidates; candidate screening; and psychological testing. These areas can be discussed later in the estimates.

Subsequent to an in-depth analysis of all the findings, the ministry directed that a manual of recruitment and selection procedures be designed for purposes of disseminating the results of the study throughout the policy community, and that the OPC accept a supportive role in any necessary implementation.

The manual has been well received by police forces and is being used by them. The commission provides standardized forms to the forces to help to control recruitment procedures. A similar project is under way to standardize performance evaluation procedures at all ranks for promotional purposes.

Construction continued on the new buildings for the Ontario Police College at Aylmer. Seventy rooms in the two-storey section of residence No. 1 were available for use in August, 1975. The four-storey section of residence 1 was put to use in November, 1975.

The new drill hall was available for use for the December graduation and the new kitchen and dining room were ready for use commencing in January, 1976. The classrooms, library, administration and training areas were completed ready for use in mid-February, 1976, when the second intake of recruit students arrived.

Construction of the second residence was commenced in the fall of 1975 and by year end considerable progress had been made. I've been informed that completion date for residences 2 and 3 is the end of February, 1977. This should enable us to implement the new programme of training currently being prepared by staff of the Ontario Police Commission in January, 1977. The larger, more modern college being built will provide increased recruit training capability and extension of refresher courses and facilities for senior police officer training.

The college has already introduced several special courses with a greater emphasis on the social sciences. I think that was one of your wishes from last year, Mr. Chairman. I might say at this point that it might be of interest to the committee—I realize not before the end of the session—sometime either during the summer or early fall to take a trip down to Aylmer to see what's going on down there. We would be glad to do it if the members of the committee are interested.

**Mr. Chairman:** If we are still around, yes.

**Hon. Mr. MacBeth:** All right, that may be an incentive to still be around.

This new curriculum will help to improve the training of recruits, specialists and senior police officers for their increasingly complex duties. The Ministry of the Solicitor General places a high importance upon crime prevention programmes.

To help support the OPP crime prevention programme, the ministry office produced in 1975 a half-hour motion picture called, "Zenith 50000." Produced in co-operation with the community services branch, the film shows what the general public can do to support the police and to help prevent crime. In it, police officers demonstrate practical ways in which homes and businesses can be made more burglar-proof and how people can act to protect themselves against personal assault. This film has been shown over 500 times to group audiences and on television more than 50 times.

In view of the satisfying response to "Zenith 50000," it confirms our view that motion pictures are an effective medium for use in crime prevention. We are now producing a film designed to help reduce crime



among young people between the ages of 16 to 20, a group which holds a large number of people involved in criminal offences. Their age and outlook make young people particularly receptive to a movie treatment appealing for crime prevention. We intend to make this new film portray the consequences of illegal actions by youths, future significance of a criminal record and the general social disadvantages of such a way of life. The production of crime prevention movies by the ministry provides OPP community service officers with a useful tool for reaching the public.

During 1975, the ministry office also produced a 25-minute fire-prevention movie named, "The Professionals," in co-operation with the office of the fire marshal. The film was designed both to convey desirable fire-prevention safety tips and to demonstrate the quality of training given at the Ontario Fire College at Gravenhurst. The movie was requested from the Ontario fire marshal's film library 186 times by the firefighting community, industries, associations and schools. These resulted in 379 showings to a total audience of 16,850 people. This figure does not include the numerous times "The Professionals" has been aired on television to help Ontario residents learn more about fire prevention.

In 1975, the ministry office produced 12 public safety messages for distribution to radio stations for free broadcasting as a public service. The messages are geared to public safety and fire prevention themes. Subjects deal with information on various aspects of fire safety, water safety, care of children, unsafe wiring and proper installation of electrical decorations. All summer safety and winter safety tapes are written and produced in advance for maximum efficiency and economy, then released according to a schedule.

In addition to radio public safety messages, six television public service messages were distributed to TV stations across Ontario for free exposure as public service announcements. These TV spots carried fire and water safety messages. They were distributed among TV stations throughout the province and have been aired numerous times, particularly in northern areas.

Construction of the new George Drew building was completed in July, 1975, at which time it was occupied by the Ministry of the Solicitor General and several of its agencies. Provision of these new facilities enabled the ministry office to bring together under one roof the Ontario Police Commission, Ontario Police Arbitration Commission, the Centre of Forensic Sciences, the chief cor-

oner's office and forensic pathology which were previously at various different locations throughout Toronto.

The 20-storey building provides the province with ultra-modern forensic laboratories in the fields of toxicology, biology, chemistry, photography, firearms, tool marks and document examination and a variety of specialized testing facilities, including a ballistics range and automobile examination area, coroners' courts, research library and general offices. In the adjoining coroners' building are morgue and autopsy rooms, museum and record areas and forensic laboratories. The benefits of this building will be many in terms of improved services to official investigative and public safety agencies.

Again, that might be one building that the members of the committee either privately or collectively might like to visit. Just in closing, I have only been in the ministry, as you know, a relatively short time but during that time—not that I didn't always have a great respect for the police and the firefighting and the safety people of this province—it has been a pleasure to work with them. I want to pay this public tribute to the loyalty, the ability and the dedication of the people in public service across this province. Thank you.

**Mr. Chairman:** Thank you, Mr. Minister. Mr. Mike Breaugh, the critic for the official opposition.

**Mr. Breaugh:** Mr. Chairman, I find this job of critic of the Solicitor General's ministry to be an awkward one, because in the public mind there is that ongoing—and I think quite rightfully—support of the police, the fire department and most of the things that are covered under this ministry, and a reluctance to be critical, except in exceptional cases.

After thinking that particular problem through, it really struck me that it can never be the kind of organization that we want, it can never be as effective as we would want it to be, until society as a whole begins to criticize constructively, or at least to make its opinion known on what's going on. There is always that delicate balance when someone is criticizing the police, the fire department or some agency like that which has in its history some measure of the military; some measure of the way they look and the way they act, their bearing, that that is, somehow, a very threatening type of thing.

I recognize that continues to be a problem; we have not really turned the corner on that yet. I think in Ontario, though, everybody recognizes it is a different situation than it is in many areas in other parts of the world and



that the police system we have—and that's perhaps the highest profile in your ministry—is probably a good one.

I want to make some general comments and then, in the remainder of the estimates, deal with some specific things. One of the things I find difficult to accept is that everyone seems to let it flow on a very even keel until something of a sensational nature erupts. It usually comes out in the form of a coroner's report over some crime that has been committed, or an accident that has happened; pictures in the paper on riot training or, on those few occasions when we've had a riot or something close to that in Ontario, how the police dealt with that particular situation; what kind of training they had; what kind of weaponry they dragged out for that occasion.

I recall, it wasn't very long ago and not very far from here, when there was severe criticism of how the police handled large crowds of people at demonstrations; and the discussions we had over the flat-nosed bullets. Oddly enough, the thing that disturbs me is not that that happens on a recurring basis but that it tends to be highlighted in the media for a few days and then it's gone. Nothing happens about it. There seems to be that absolute right that the police are always right and that they are never wrong.

Most police officers that I know don't agree with that. They think there are some things wrong as well and indeed are, by and large, prepared to admit that sometimes police officers, in the course of carrying out their duties—and it's a tough job—make mistakes. But no one seems to have found a device whereby individuals in the public can criticize, and an open discussion follows and either corrective measures are taken or else there is complete justification for what occurred in the first instance.

I want to point out some things that I think reflect this kind of attitude. One is the matter of police chases, which has been raised in the House a number of times. There are some aspects of that which I find very uncomfortable. We talked to the people at the college at Aylmer about what kind of training they give the officers in chase techniques. It's not very much. They told us something like three or four days out of the two-week period on traffic control is spent on that but really not very much—as, for example, has been done in British Columbia, where they really have made it a bit of a science investigating the kind of pressures that an officer is under in that situation. They've really come to the conclusion there—and I think most police officers who have thought about it agree—

that a police chase is not a very profitable thing for anybody in most situations. In my areas, we have had about three instances of police chases which achieved some notoriety. A couple of them were very tragic; in one, a woman was killed. One happened just a couple of weeks ago, which I want to use as an example.

[2:30]

A young fellow allegedly stole a car; the car was worth about \$6,000. The police chased him at speeds in excess of 130 mph along city streets and regional roads. I wonder if anybody, in a moment of reflection, would deem that to be a sane act. Is it sane in terms of really preventing crime? Of course, it isn't, the crime had already been committed. Is it a sane thing to take all those people, all that equipment and all that machinery and put it to work chasing somebody who has removed a vehicle—a used vehicle in this instance; worth a fair amount of money, I admit—through the city streets and along regional roads?

Another thing occurred to me. In the end the vehicle crashed and was a writeoff; that's \$6,000 for starters. There were, at any given time, about four police cars in pursuit and in setting up road blocks; and that's expensive. The kid who stole the car was injured and is in hospital. About 20 minutes' time was involved, and I'm wondering what the cost of that was—the human cost and the economic cost, if you like, because it's expensive to have police officers chasing cars up and down roads. There was damage done, both property damage to the vehicle that was allegedly stolen and, of course, to the person who stole it. And we, as the people of Ontario, are picking up almost the entire tab for that.

I wonder whether we would deem that to be a sane and sensible response to a given situation—just in human terms was that a sensible thing to do?—or are we prepared to pay that kind of cost, which is happening with increasing regularity in Ontario? My guess—and it's only a guess—is that probably that little chase sequence cost the taxpayers of Ontario roughly \$15,000 or \$20,000, if you add in the health care costs at the tail end of it all. It's very difficult to judge, because then it has to go through the judicial process after that, with the paperwork, the officers showing up in court and the remands. It could go on a long time and it could cost us a rather substantial amount of money. Was it worth it? Was it a sensible thing to

do? Was it a very wise way to spend your time?

It's becoming an increasing problem in Ontario. I forget the exact death toll from police chases at the moment, but I think the last time I checked 11 or 12 people had died in police chases; that's approaching the murder rate in Metro Toronto, for example. It's a problem of some significance and one that it's awkward to criticize, because I don't think you can criticize the police officer. I think in that instance he's responding as I hope he has been trained to do, although I'm aware that in a lot of cases he really hasn't been trained. I hope that he's responding within a broad general policy, though I'm aware that in a number of places in Ontario the local police commission or the chief really doesn't have a policy. I'm also aware that you're asking some human being to make a split-second decision, perhaps with minimal training, perhaps when he's given to emotion as opposed to logic, and it's very tough to find out who is doing something wrong in that process.

In the end, I'm not really sure that for any of the things that have happened to date you can really identify somebody as having done something wrong; and I don't think that's particularly pertinent. What I'm concerned about is, are we doing anything to rectify a situation that strikes me as having reached rather serious proportions and that certainly is expensive, both in terms of dollars and human lives?

The other kind of related point to that—and I think it goes through all of your ministry—is the cost of police services, which is getting astronomical. In most of the areas that I know, even though a substantial part of the police budget is funded by the province, the local portion is getting very high. It's costing a lot of money to provide police services in Ontario. And, again, that problem of even dealing with it in a sensible way still seems not to be rectified.

I recall that less than a year ago, I think, in a region just west of Toronto where the regional council was balking at paying for the police budget, the police chief simply went in and said, "There's a lot of organized crime moving into this area." Now what person, what politician in particular, could balk at that budget with that kind of a statement laid in front of him? And, unfortunately, it's very difficult for somebody to say, "Well, establish it." In this province we've been saying for some time that there isn't a lot of organized crime, it really isn't a problem, it's well under control and in the

minister's report he indicated he is going to increase their overhead, cut their profit, giving them a status of somewhere around Imperial Oil or something like that.

I think it is substantial here and I think it's a problem we have not dealt with. I'm not saying that in the United States they've been successful or even chosen the right route in making it such a sensational piece of business but in Ontario it's one of those things we don't like to talk about. We don't want to deal with that problem except that I do notice a trend when things get tough—when somebody suggested we ought to tighten up the purse strings for police forces, all of that stuff gets dragged out.

I've seen it even in my own area when people are discussing police costs. Somebody will say, "The number of rapes in New-castle doubled last year"—that means they went from four to eight. They bandy about the statistics pretty well.

Chiefs of police and people on police commissions are getting rather adept at dealing with politicians and finding out what is very sensitive—politically sensitive I guess—for them to handle. They are aware, too, I think, that the other side of the coin has some advantage to it—the fact that people don't want to talk publicly and at much length about the way a police force operates because it is an awkward thing to do. It has some advantages for those of you who are responsible for getting money out of the public purse and I think, frankly, that it is used from time to time.

One of the problems I see in my area is one which you seem quite happy about. I don't disagree in a certain sense that the arrival of mass technological changes in policing is important, but that seems to be the thrust of the ministry. That's necessary, I don't argue about that, but I think it is regrettable that that is the thrust. In my area, which has moved to a regional police force, they have had a major argument because the police commission was told to cut costs and it said, "Okay, you want us to cut costs, we'll close up some of the smaller police stations." Of course, the people having had their own police force taken away from them weren't too happy with that idea or that two years after the regional police force was established they were going to stop having a police station in Whitby. Then they went to the idea that they might have a store-front operation and eventually, after about three goes at it, they reversed the original decision and said they'd allow the station to stay open.



It is causing some difficulties. It is that movement toward a centralized policing system with great emphasis on technological change and less of an emphasis on personalized delivery of service which is causing that problem. They don't know the police officers any more; they have some difficulty finding them.

The Whitby situation is ironic because the police station was built not more than five years ago. It was a brand new station, surrounded by controversy in a number of other ways and, on top of that, the people were going to lose it. Now the police commission reversed its decision to close the police station at the urging of the council.

I think that trend toward building larger police forces based on the advantages of technology, really on a large scale, has some bad effects to it as well as some good ones. I'm not sure that the movement is all wrong provided it's put into a proper perspective and you retain in some manner the familiarity of the people of a community with their own police force.

In some areas of Ontario that is very difficult to do, I know. Certainly in the areas with which I am familiar, little places like Bowmanville and Orono and places like that, they knew it. For example, where I was born and raised, in eastern Ontario, we knew all the local police constables very well and we knew those members of the OPP very well because in those rural communities they seem to settle in. They participated in the sports and the dances and all that kind of stuff so you knew them. You knew them reasonably well. Now there is something in excess of 60 officers, I think, working out of the detachment in Napanee and that is very difficult for a community to accept. And they move them regularly. I want to say some things, too, about police training in Ontario which has received rather large emphasis in the last little while. If you read the recommendations in the report you referred to, if you read your own report, you would come away from that, I think reasonably, with the impression that every police officer in Ontario is well trained and that is not true. That is not true at all. There are still a number of places in Ontario where the police officers were mechanics yesterday or just happened to be large people and they got the job.

I want to read into the record something from my favourite newspaper, The Napanee Beaver, and I won't be judgemental about all this. But it happens, even in my own home town of all places, Tory Ontario, and is front page news: "Police say they lack equipment

and training." They have an inquiry there now. The stuff in here which really is not judgemental simply reports the testimony of people who worked for the police department there. It's pretty bad. Let me just read a couple of things: "There was virtually no training, either in a classroom or on the job and constables were put on duty with little or no experience or instruction in the use of weapons or law."

That's unreal. Someone is given the status of a police officer, is given a weapon, is sent out to enforce the law and doesn't particularly know what he's enforcing. In particular, although we have a lot of stuff in the papers these days about gun control, how sane is it to send a police officer out with no weapon training? It happened. I'm saying that maybe this is not the rule across Ontario but enough of it happens to make a person rather disturbed about it all.

There are problems with the chief. I don't want to go into them here but I think they are rather normal problems, because in a number of places in Ontario somebody got to be the chief of police now because he had been a constable for a long time and, I hope, has demonstrated through his work that he can really do an adequate job at it. But in terms of training and in terms of professional expertise, that isn't there; it's on the job experience.

I listened a little while ago to a rather learned group of police officers, because they came from across North America, discuss the point of whether somebody ought to become a good cop on the job or whether he ought to receive all that training that's available to people in social sciences and in forensic sciences these days. There were two sides to the argument, but nobody was saying that you take somebody off the street one day and put him back out the next day in a uniform with a weapon. They were saying that some training was necessary.

They were arguing about whether it was necessary to have a university degree or particular training in forensic sciences or law or social services. No one was saying that you send them out there alone, rather poorly equipped and rather poorly trained, to do probably the most difficult job around because he has to do it in such a hurry; he has that split-second decision to make. That can mean someone's life. That can mean his own life. That's a very unfortunate thing to have happen. I wanted to dispel the illusion that every police officer in Ontario is well trained because that isn't the case.



I want to go into some of the things that were raised in that hearing. Right now, however, I want to conclude that little part of it by simply saying isn't it a tragedy that in Ontario something has to get to the state where an inquiry is necessary? Would we logically and sensibly allow any other kind of an operation in Ontario to function without regular inspection? I can't think of one. I can't think of a single thing that we'd let float that way. That goes back to my initial point about the reluctance of everybody to deal with the police issue, to discuss it openly and frankly. I think that's the tragedy. It goes back to that very basic point that something rather substantial and bad, if you like, in nature has to happen before we're prepared to look into it.

I want to follow that point just a bit because I'm not very happy with the way that charges against the police are dealt with. In the main, I find that it turns out to be muck-raking of the first order. I'm not putting muck-raking down. That's an honourable art, but I think that it's very tough for those police officers who have to take it. It strikes me they get the worst of both worlds. You see again and again when judgements are delivered against police officers that they are expected to show a standard of behaviour that's beyond the norm.

It doesn't matter whether the policeman was at a stag for his brother officers or whether he was at a social event or whether he had his uniform on and was sitting in a cruiser. All the time he's expected to be somebody abnormal. He's expected to be above and beyond all of those things that other human beings are allowed to get away with. I find that very tough. It must be very tough on the officers with status.

It's also very tough on the public at large as well because of the way the thing is dealt with. You have a commission of inquiry that may or may not be made public, or portions of it may be made public. The other route that I've seen in my own community lately is when you bring in a judge from somewhere else and he holds the hearing. And the people involved in that got far more press.

[2:45]

You see, we say that when that happens, that's such an unusual event that we would rarely do it anyway. And when we do it, then it gets the full publicity routine. It seems by making it that exception, we are crucifying those people involved. Now, they may well have committed crimes. They may well have done things that were wrong, but that happens in any community.

We don't have an effective way of dealing with complaints about the police either. We don't have an effective mechanism, although there are several under way here, and in Toronto there's an example of at least trying to get it out of the police station.

Frankly, I can't imagine anybody in his right mind walking into a police station and laying a charge against a police officer, certainly not on his own. Maybe if he was fortunate enough to have a battery of lawyers to accompany him, or a crowd of people to go with him, he might do that. But it strikes me that that wouldn't be a particularly sane act for a person to do. It would be like somebody coming into our caucus saying that socialists are bad. Your chances of escaping from the place would be relatively nil.

Mr. Kennedy: But they would be right.

Mr. Breaugh: They would be very right, yes.

Mr. Singer: Is that the muck-raking you were talking about?

Mr. Breaugh: I told you it was an honourable art.

I have noticed there has been absolutely nothing from the ministry on the federal legislation on gun controls and wire taps, and I am wondering why not. It strikes me that it involves your ministry a good deal, because you are going to be involved in that whether you like it or not. I haven't heard any public statements by the minister whether he's for, against not sure about—any of that. And that really has some far-reaching implications for the police forces in Ontario and for the public.

I haven't heard every word you have ever spoken, Mr. Minister, but I don't even recall you saying a lot about bail reform problems. I certainly hear about the problems from police officers that I talk to regularly. They are rather adamant on the point that they can't book them fast enough to prevent them from being back on the streets. In conversations that I have had, it is leading to a frustration level that has many bad effects.

There are police officers who have given up on the law, and that's pretty tough stuff for anybody to swallow. There are police officers who are quite prepared to take the law into their own hands, and that's dangerous. That's really dangerous. You can see another phenomenon around Ontario these days. Police associations are getting political—taking out full page ads; doing surveys across the country; showing a much higher profile; even running a political candidate—a dan-

gerous thing to do, and not particularly successful either.

**Mr. Singer:** Particularly if you run for the Tories.

**Mr. Kennedy:** If he ran for the NDP, would it be all right?

**Mr. Breaugh:** Sure, there would be 39 members in the House.

But I want to deal with that problem. I see both sides of the coin. On the one side, the officer who is trying to do his job has not much of a vehicle, on a regular basis, to declare what is wrong with the job; what problems he is having—a mechanism to deal with that.

There seems to be an elitist philosophy in here that the police will run themselves, and you don't question the operation. The chiefs may, from time to time, make recommendations. And certainly they are kind of gods unto themselves to run their own departments, except when something goes wrong, and then they get hammered. We have seen a couple of instances of that in Ontario, too. But there does not seem to be a rational way to deal with it, to discuss it, to correct problems, to admit that there are faults.

I really am increasingly concerned about that. In my view it will lead to extremism on all sides. We don't have much of that in Ontario, and I don't think the place is really bred for it, but it is going to cause some severe problems.

A couple of other things I wanted to bring up in the opening remarks. There seems to be a rising number of—I don't know what to call them—but I guess they are vigilante groups. They are in public housing projects and in a couple of other places. I find that disturbing. I really do. The other day there were some disturbances in Regent Park, and I am told that people in there were enforcing the law on their own. That's pretty tough stuff. That's very difficult for me to accept.

I would accept the idea of an auxiliary police force, as there are in a number of places. This is where people are given some kind of training and in some kinds of emergency situations come in and assist police officers. To have people say "I am the law," in however informal a manner, I really can't accept. That's from another era and I don't think that should be allowed in Ontario.

At least, if you are going to permit such activities to take place—these are very difficult things to deal with because how does that group get established and what does it

do? Most are just people who are concerned citizens but I get a little worried about concerned citizens from time to time. Do they really represent the citizenry? Do they know what to do?

**Mr. Shore:** You don't have that extracted from Dr. Shulman.

**Mr. Breaugh:** No, I'm quite prepared to say that. Anybody who runs around and says, "I am a concerned citizen and therefore much different from and much better than every other citizen" bothers me a lot. All the citizens are concerned about a lot of things but when they identify themselves as a specialist group that's pretty tough to deal with. You'd better get ready to deal with that, too, because that can cause people a lot of problems.

If you want to be a police officer, be one—no question about that—join a police force, get the uniform. Or join the police auxiliary, but don't run around with your Hopalong Cassidy badge on and pretend to be one. That's really dangerous.

There are a couple of other things and they are practical problems, I suppose. Most police officers I know are really unhappy not particularly with the salary they're getting but the way they get it. I must say firemen are expressing increasing frustration at that as well. They're working all the time but they always seem to have last year's salaries under arbitration. They are kind of negotiating but not really negotiating. They can't negotiate much of a contract except for salary purposes. This is a weird phenomenon.

There are rates being set for police and fire officers in most areas; that's the rule now and you have to meet that. For firemen I think it's around \$15,000 and change. If you run a major fire department anywhere you are going to have to come up with that kind of money. The game, of course, is that you don't negotiate that; you let it go to arbitration, the arbitration award comes back and that's it.

But the frustration level among the members is getting increasingly high and it's not just that old morale problem, I think. I think it's a much deeper one than that. They feel they are being played with and there isn't an open and honest negotiating process there. I think perhaps a number of them are prepared to say "Forget about that. Establish what it is and at least take the game out because the game is causing some difficulties."

I wanted to make a couple of remarks, too, about the two beautiful buildings you have.



The George Drew building—for the life of me I can't figure out why it's there. Every time we build government offices, why do we find the most expensive turf in Ontario and put up the big building there? If the government is serious about decentralizing, that would have been one which could have gone in a number of places in Ontario.

Do we have to centralize them all down there? Do we provide the kind of services there which most police officers in the field or communities need and want? Or could it be done better at a university? Could it be decentralized in a number of other ways? That's an expensive building. It's a nice-looking one; I've been through parts of it.

The other building I want to talk about is Aylmer. I have some difficulty accepting that there is a separate Police College. I don't understand why police officers could not receive their training at community colleges, at universities, wherever. I think it is contributing, if you like, to isolationism. The police go off by themselves to their own college for their little training course and then they come back to their community.

I think that's dangerous from several points of view. I would like to see police officers exposed to a university setting, for example; to see people from other sciences and to have contact with them. It is, I guess, the difference between trying to educate a police officer and provide him with tools he can use, and training somebody to do a particular job.

I reject the idea that we are going to train somebody to do this, if you like that old-fashioned word. I think he should be a well-educated person, not necessarily with a university degree at the other end of it. I think there are other sciences involved—other than how to drive a police car and how to fire a weapon—which he needs to know and which should be tools of his trade.

I think it's an unfortunate thing that a separate college was set up. I admit that setting up some kind of a training system was long overdue and it's a good thing it was set up. I think it unfortunate, though, that you chose the route of a separate Police College as opposed to training them at universities or at community colleges—and there is certainly a number of those.

I don't want to get esoteric about it, but I'm concerned that the philosophy and the practice of law enforcement in Ontario is deficient on a couple of counts, and some of them are rather serious. It doesn't seem to bother a lot of people, but it bothers me, for example, that a qualification of a police

officer is how tall he or she is. What's that got to do with good law enforcement? That really speaks to the rather ancient notion that someone who is in a law enforcement position ought to be big and mean; and if not mean, then at least big. It goes back to that notion.

I don't see why short people can't be good police officers. I don't really understand that. I don't see how it helps you to drive a car, enforce the law or fire a weapon because you're taller or because you happen to be a big person. I see some advantage if you intend to go into a pub and clean it out. I also know some very short people who could clean out most pubs, and they happened to have learned other sciences than brute force. I wasn't speaking of the current chairman.

**Hon. Mr. MacBeth:** He does better filling them rather than cleaning them out.

**Mr. Breagh:** There are some moves to bring in native people, and I welcome that kind of a programme, but there still is not a substantial move in larger urban centres like Toronto, for example, to really have multi-cultural police officers. That speaks to the point of whether a police officer is going to be a part of his community in working at crime prevention, at understanding the community where he works, at understanding those people and even a very basic thing like being able to speak their language. That is not done in Ontario as it's done in many other jurisdictions—certainly not to that degree.

Somebody is going to tell me, of course, that we have two Italians, three Portuguese, two Greeks and something like that on the Metro Toronto police force. But there isn't really an active movement to make a police officer a part of his community. In fact, in many ways the current practice in Ontario works against that, because in a number of OPP detachments and in many large metropolitan police forces, there is a concerted policy to move them, to get them out of there; if they get too familiar with an area or a community, you move them somewhere else. Many police officers with whom I've talked recognize that's part and parcel of the job; that for a long time, at least until you get into some kind of administrative position, you're going to be moved. You'll work one part of town one week and another part the next week; or, if you're on the OPP, you'll spend a couple of years in Oshawa, then a couple of years in western Ontario and then a couple of years up north. There is a concerted effort to move them around. That has its bad points; it really does.



I really think that my whole difficulty in accepting your philosophy is not that it brings new things into law enforcement in Ontario, because we live in a different age and we need to know new things and we need to use new tools; I'm just wondering why we had to abandon what I thought were some very good things—human relationship kinds of things. I refer to simple things like foot patrols as opposed to cars or like officers knowing, working and living in a community, whereby I think they did succeed in good measure in crime prevention as opposed to crime control or waiting for a crime to happen.

I have some difficulty accepting the Americanization of Ontario police forces—and I think it's true to say that is happening. I don't care whether you call them SWAT teams or whatever; they are here. Our police officers are being trained in that way, and I see that as a very unfortunate thing to have happen in Ontario. Perhaps it is nostalgic, and maybe it's not all that realistic, but I think you paid a hefty price, if you like, for accommodating technology. I don't think you necessarily had to abandon things that were of considerable virtue in order to bring police forces in Ontario into this century. I want to kind of leave it there, because there are a number of things I want to get specific about and bring up throughout the estimates, but in summary that's really my point. I am concerned that you paid a hefty price for moving into the 20th century.

[3:00]

I am concerned that the illusion that all police officers are well trained is allowed to continue when it's not necessarily true. I think they are being asked to do perhaps the most difficult job in our society because of the lack of training in one instance, the kind of pressure situations they're put into in the second case, and, thirdly, because they have to react so quickly. My fears are that they react out of instinct instead of out of training or education or whatever term you want to use there. I would like to think that because we expect so much of them we give them much more support.

By support, I don't mean to say police officers are always right. I mean support where it counts, in terms of getting them into positions that they can handle with ease, that they're familiar with, in terms of giving them more than just guns and weaponry as tools of their trade and more than just a looking over of the law books to see how you charge people. I'm concerned because

they are involved in a human endeavour that they are equipped to handle that, that they're equipped as human beings and at an abnormal level because a police officer cannot afford the luxury of getting mad or getting into an argument or things like that. He has to be able to control himself and the situation, and I don't see much of a move in that area.

**Mr. Singer:** I've listened with some interest both to the minister's remarks and Mr. Breaugh's remarks. I take exception to a number of things that both of them have said. Let me start with a very basic and simple thing. I can't follow the arithmetic in the minister's opening paragraphs about the number of recommendations made by the task force. If you start with 170 recommendations and have implemented 80, have 64 in the process and 26 not implemented and 19 remaining ones, that adds up to 189 instead of 170. I don't know which figure is right. If you go to your report on the first page, you didn't have the extra 19. You discovered an extra 19 and I wonder where you got those.

**Ms. Sandeman:** You misunderstood it.

**Mr. Singer:** I misunderstood it, did I? It's 26 that have not been implemented, while the remaining 19 were rejected. The seven and the 19 go together, do they?

**Hon. Mr. MacBeth:** It's 80, 64 and 26.

**Mr. Breaugh:** You could use an abacus.

**Mr. Singer:** Maybe. You put those last two paragraphs together, do you?

**Hon. Mr. MacBeth:** Of the 26, we were referring to the seven and 19.

**Mr. Singer:** Now I have it.

**Hon. Mr. MacBeth:** Maybe the paragraph should have been set up a little bit differently.

**Mr. Singer:** Before too long I'd like to find out the ones that you have not implemented and the reasons why they have not been implemented. The general statement says because circumstances warrant deferment until other decisions are made. Particularly, I'd like to get at your reasoning for the rejected ones because we've had a go at these for a number of years. The report is dated February, 1974, and we get statistics like this for 1975 and 1976, and I would like to follow through your reasoning in connection with these matters.

I suppose it would be under the first estimate that we would discuss police commis-

sions generally and the Police Act. In any event, I do want to comment about them and find out what new thoughts you have, if any, about local police commissions, particularly in view of the changes to the Judges Act and the method of paying federal judges. Since they are no longer allowed to have extra pay for serving on a police commission, I would imagine some of the judges would be not too anxious to hold on to those positions.

I think it was your colleague, the Attorney General (Mr. McMurtry) who suggested one day that it might be appropriate to get judges off the police commissions. This has been a long-time concern of mine—both provincial judges and county court judges serving on police commissions. I think it is unreasonable and unrealistic that the persons who are in charge of hiring and firing and disciplining and paying policemen then have to deal with them when they come into court to give evidence. It is bound to create tensions and probably substantial conflicts in how they are treated. I think it's improper and I repeat again the concern that many of us have had for a long time about keeping federal judges and provincial judges on police commissions.

This brings me to the usefulness of the Ontario Police Commission. Again I have great doubt about its usefulness. I'm sure the gentlemen on the police commission would be quite surprised to come here and not hear me express that doubt. I've expressed it for many years. It would seem to me that doubt exists even in housing, since there is probably a move afoot to get rid of the Ontario Housing Corp. Since we have a Ministry of the Solicitor General which is in charge of policing in the province, why can there not be a branch of the minister's department to look after police? You can have a deputy minister in charge of police, or an assistant deputy minister or whatever title you want to imagine.

I just have to express my continuing concern about the usefulness of having off bodies which from time to time get to be a law unto themselves and are beyond the day-to-day review by the members of the Legislature. The minister often has no alternative but to say, "This is an independent commission and they operate under their own section of the Police Act and there is very little I can do about it," and so on. On the other hand, if there is a decision made by one of the ministry's civil servants, the minister can and should be called to account for it from time to time. Maybe it was necessary at one stage to have a police commission, but I just wonder about its usefulness from day to day.

Again, Mr. Chairman—Mr. Breaugh touched on it—there's the whole system of dealing with complaint procedures, and there is quite a book here by a gentleman named Arthur Maloney, who is known to us now in another capacity. He spent an awful lot of time putting this report together and recommending a system of dealing with complaints against the police and related to police generally. I don't feel, as Mr. Breaugh does, that policemen are that badly treated, but on the other hand there should be some fairness to the system of dealing with complaints against police and some system of dealing with complaints by the police and I think Maloney got awfully close to a good system.

What has surprised me—I'm afraid my prejudice against police commissions keeps on shining through—what has surprised me is the reluctance of the Metropolitan Toronto Police Commission to implement the suggestions that Mr. Maloney made in his report. I find it very, very difficult to understand. I've read Judge Bick's comments from time to time. He says, "Well, there isn't enough money. If the province would only give us more money," or "Well, it isn't appropriate now." He's got a whole series of excuses.

He's a fine man, Judge Bick, and I've known him for many years, but I don't like the way he runs around the recommendations in this report, and I think he's going to continue to run around the recommendations in this report as long as he's permitted to do so. I think that since this report is here and since it makes good sense the ministry has a responsibility to bring about the recommendations just as quickly as possible, notwithstanding the views from time to time, of local police commissions.

Again, is there usefulness in having a local police commission? The rather interesting argument that grows up is, "Oh, if you let the politicians control the police, that's bad." But you let the politicians appoint the people who go and sit on the police commissions and they are supposed to appoint people of greater integrity than they themselves. That argument has never made any great sense to me. It would seem to me that if the municipality of Metropolitan Toronto is going to have a police force, as it has, that the people on the council of Metropolitan Toronto should be the people responsible for running that police commission. I don't think you need the additional buffer zones.

Mr. Chairman, police chases bother me very much. Mr. Breaugh touched on that, and there are a number of questions I've asked.



There's hardly a month goes by when there isn't some kind of a chase. I've questioned the minister's answers. They really haven't been very fulfilling insofar as police chases are concerned.

It would seem to me, first of all, that there should be a set of guidelines. I've asked the minister for this, and I don't know if any guidelines have been forthcoming—either from the Ontario Police Commission or from the ministry. But I think there should be a set of guidelines.

It certainly would seem to me that when a police chase ends in death or serious injury, that it should be just about as automatic as the inquiry into the use of firearms by police officers that there be an inquiry. There immediately should be an inquiry and automatically be an inquiry, and any officers engaged in a chase should expect that there will be an inquiry—not necessarily to find fault, but just to find out what the facts are.

There should be an inquiry, and the public should be informed as quickly as possible after that chase is over what the results of the inquiry are. It may be that in many of them the report is going to be: "It was necessary for the public safety that that kind of action took place."

But if there were a set of guidelines, and if there were people reviewing these unfortunate incidents, it seems to me that some of the carelessness and recklessness, that I gather has taken place, might be avoided.

Regarding the size of forces; again, I'm going to talk about something that's bothered me over the years. Looking at the statistics that are here on page 12 of the ministry's report, I see we still have four one-man forces and 29 two- to five-man forces and 31 six- to nine-man forces. At that stage you've got 64 forces with under 10 people.

I think since I came into the House, which is a long time ago, I have been concerned about this; a concern which has been expressed by me every year in the estimates. It is a concern that is expressed in the task force on policing and the efficiency of these forces. Contrary to what Mr. Breaugh says, I don't know how you can have it both ways. How are you going to have the personal touch and, at the same time, have large enough forces to take advantage of the training facilities, equipment, and so on?

I'm comparing these statistics over the last few years. You've got figures here for 1973, 1974, 1975 and 1976—with one-man forces reduced from 10 to four. But in your two- to five-man forces you have only got

rid of one—or the police commission only got rid of one in the last year. In your eight- to nine-man forces you only got rid of one of those in the last year and over a period of four years you only got rid of four.

It just becomes so obvious and logical to me that if you have these small forces, that probably their pay scale is going to be very small. The kinds of persons with education and training who are going to be attracted to these forces are going to be fewer. The opportunities for training and promotion, for better jobs and a real challenge are going to be much fewer. I know there are some very dedicated people on these small forces, but by and large they don't do an adequate job of policing.

I don't know what it's going to have to take to make changes. Repeating it in the estimates year after year doesn't seem to make any great impression as to what it's going to take to get rid of these small forces. I think it has to be done.

I haven't talked about the next two or three groupings, but I could move on. But certainly groupings of 10 and under are far, far too small.

**Mr. Kennedy:** Of course, regional government tends to eliminate those. But there are parties against regional government.

**Mr. Singer:** No, no.

**Mr. Kennedy:** Yes, there are.

**Mr. Singer:** All right. If you want me to make a speech about regional government, Mr. Kennedy, I'll be glad to do that.

**Mr. Moffatt:** Tell us which side you'll be on before you start this.

**Mr. Singer:** All right. You talk about regional government eliminating these small forces. We apparently had a lot of regional governments which cost you fellows a lot of seats in the last election.

[3:15]

**Mr. Kennedy:** Let's stick to our efficient police forces.

**Mr. Singer:** The number of small police forces which still continue hasn't changed materially so you had better figure out which side you are on.

**Mr. Kennedy:** It certainly has changed.

**Mr. Singer:** Do you want the figures again? Two to five-man forces a year ago were 30,



now 29. Six to nine-man forces a year ago 32, now 31. Certainly substantial progress.

**Mr. Kennedy:** I can add those up. I added up the first page here, too.

**Mr. Shore:** You didn't have any trouble with it, then?

**Mr. Kennedy:** No.

**Mr. Singer:** That's very good. Maybe you should be a policeman.

**Mr. Kennedy:** Maybe.

**Mr. Singer:** The next thing I wanted to talk about was the training. I am glad to see some reference to psychological training here because over the years again the question of psychological training has been mentioned. It has been asked for by many of the critics when these estimates have come up. It has certainly been asked for by the police associations and I tend to go along with Breaugh about this training bit.

I don't know how many people are civilians one day and policemen in active service the next day. I would believe that there are very few in number, but perhaps I am all wrong on that. I would like to hear how many officers, first-class constables, there are now who have received no training or the extent of their training. Perhaps it might be quite useful to get a breakdown of training given to officers. Certainly it would make good sense in view of the highly technical nature of the equipment and so on being used, the importance of knowing about law and the rights of citizens and that sort of thing. It should be the very great exception. I can hardly think of any circumstances which would justify allowing a person to go out on the street and start performing these duties until he has had substantial training in the various facilities.

The member for Oshawa was reading from the Oshawa paper—I don't know how frequent the incidents are—

**Mr. Breaugh:** The Napanee paper.

**Mr. Singer:** The Napanee paper, is it? All right.

**Mr. Moffatt:** The Napanee Beaver.

**Mr. Singer:** How big is the Napanee police force?

**Mr. Breaugh:** I think there are about six guys.

**Mr. Singer:** Six guys? That establishes my earlier point, notwithstanding the interjection

from Kennedy, that the smaller the force the greater the problem you have and the fewer training facilities you have.

I would like to hear, somewhere along the line, not only the opinions of the ministry about gun controls, wiretapping and bail reform—I think those are important—but the extent to which the minister has been in contact with the various federal departments and the kind of representations he made.

I believe there should be very strict gun control and I feel that some of the things done in relation to wiretapping in the new bill the House of Commons is dealing with are quite questionable. I think perhaps too much freedom is being given to the law enforcement people in connection with wiretapping and I would like to hear the minister's views on that. On bail reform, I think there have been some useful changes to that Act and perhaps there are some statistics available about that: certainly some opinions from the ministry.

I find it difficult to visibly locate police officers, "who have given up on the law and who take the law into their own hands."

Frankly, I get concerned at that kind of a general statement. Those are the direct words of Mr. Breaugh and it may be that he has some evidence that this is so. If so, I think he has a duty and responsibility to bring the facts here.

I find most policemen I have had contact with and most policemen I read about certainly take the law very seriously and hardly ever do any of them take the law into their own hands. That kind of a statement gives me some concern because I think that of all groups in society the members of the Legislature should be the last ones who will make general statements that can blacken the reputations of an awful lot of very fine public servants.

On vigilante groups and permitting such activities to take place, the only example he gave was a small riot of two gangs of teenagers that took place in Regent Park the other night, which hardly represented vigilantes; it represented two gangs of teenagers who didn't like each other and started beating each other up. It seemed that after the community guardians, the OHC people who were there, moved in and were assisted by the police, the beating-up stopped and order was restored reasonably quickly.

I didn't hear any complaints that these people were beaten up too badly or that they had taken over control of Regent Park or anything like that. They seemed to be something considerably less than Hopalong Cassidy

people wearing badges and forming themselves into vigilante groups.

What does present a very great concern—perhaps in the summer weekends the hot weather brings it on—are the gangs that arrive at places like Sauble Beach. There was quite a to-do there on the holiday weekend and the method of handling it—we haven't had these rock and roll concerts recently where there were some pretty bad displays both by the people involved and by police as a result of them. But the Sauble Beach kind of weekend has to give us some real concern.

My colleague from Sarnia (Mr. Bullbrook) wouldn't forgive me if I didn't mention his pet concern, which is awards made under the Police Act and the effect of the AIB after the award has been made by the arbitrator. I think it is most unfair that policemen, whose right to strike has been taken away by statute, and firemen, whose right to strike is never exercised, although we have never taken it away by statute, do go to arbitration, do accept the arbitration award and then at this point the AIB steps in. Before this is over, I am sure Mr. Bullbrook will be here and expressing this, but it is a matter that I would like the minister to deal with.

As for the Drew building, now that it is up, let me again bewail the fact that it was called the George Drew Building; not that I have any great disrespect for George Drew, but I thought it would have been a very fine thing to call that the Ward Smith Building. I gather that you have got a little library tucked away somewhere that you call the Ward Smith library, but Ward Smith was a great public servant who died when he was the head of that laboratory; he died at quite a young age, of cancer, and he did a great deal to establish that science here in Ontario.

He was world renowned, actually, and it was only his loyalty to the Ontario system that kept him here at all. I knew him personally and I know that he had great offers of far more important positions and at far higher rates of pay in a whole myriad of American cities, and he resisted those and stayed here and gave outstanding service. I couldn't have thought of anything more appropriate than to honour him in a way that could have been publicly seen.

On the height qualification of policemen, I thought I read somewhere that that had been either withdrawn or dropped somewhat.

**Mr. Russell:** It's a regulation.

**Mr. Singer:** It's a regulation? Has it been changed recently?

**Mr. Russell:** We have the regulation for you if you want it, but it was cut down.

**Mr. Singer:** It was cut down.

**Mr. Russell:** It is not mandatory, they can or can't, but it is below the 5 ft 10 in. or whatever it was. It is below that height now.

**Mr. Singer:** Good.

**Hon. Mr. MacBeth:** I think, in fairness, there is still a tendency of police commissions to want to hire the bigger and stronger people, but there isn't the requirement that there used to be.

**Mr. Singer:** Those are some of the comments I wanted to make. I am going to expand on some of them as the estimates go on, but perhaps I have thrown out enough ideas.

On organized crime, sure there is organized crime and I think we should get a little more factual information here about it. Perhaps when we come to the Ontario Police Commission, if the minister is able to do it, I would like to hear about the effectiveness—not in detail; I don't expect that you are going to discuss with us ongoing investigations, that would be quite ridiculous—but the effectiveness of efforts as against, say, the drug trade or the shylocking; the extent of movement across the border, both from the south and from the east; the usefulness of our control system, how well it is working and that sort of thing. I would like to be brought up to date a little more. I think the public should be much more aware of how effective our system is.

I don't know if you people run the computers that throw out these summonses for automobiles.

**Hon. Mr. MacBeth:** No, we supply some of the input but Government Services run it.

**Mr. Singer:** I don't know the extent to which complaints have come to your attention. Harry Worton and I, who share offices, both have had a number of cases where the computer has gone wild and constituents of ours have received 100 or 200 summonses for vehicles they have never even owned. The correction of that is very, very difficult. We get letters and complaints and so on. To the extent that you have a responsibility and it gets very annoying if you're at the receiving end of all these summonses and you don't even own a car—perhaps that can be fixed up. That's all I want to talk about.

Mr. Chairman: Our usual practice at this moment, Mr. Kennedy, is for the minister to reply. Have you got a brief comment?

Mr. Kennedy: I have a couple of items with respect to the minister's opening statement which may or may not follow here.

Mr. Chairman: I think it should follow his reply to the main critics and then you can bring it up.

Hon. Mr. MacBeth: I'm prepared to make some general remarks on the very helpful and, I will say in some respects, expected comments from both Mr. Singer and Mr. Breaugh in connection with the work of the ministry. Many of the concerns that you've expressed are common to both of you and I can say common to myself as well. I think some of them will be more properly and fully dealt with under the votes as we come to them and we have people like Harold Graham, the OPP commissioner, here and your good friend Elmer Bell, Mr. Singer, to answer some of them more specifically. Let me deal with some of them in a general way.

You mentioned that a device for criticism is needed. You've been after me for a number of months in connection with implementing the Maloney report. I think my early reply in connection with it was that it was a pretty costly system he was recommending and we were waiting for the René Marin report which we now have and which has some useful material in it. As you know, the René Marin commission was established to look at the RCMP and we feel that's helpful. Have you had a copy of that as well?

Mr. Singer: No, I haven't.

Hon. Mr. MacBeth: We should get, if we can, copies to the two critics. The Morand commission was a Metro Toronto one specifically dealing with police brutality. I hesitate to use those words but that was the subject it concerned itself with primarily. We want to put all three of them together, as you say, not only for the sake of doing the citizen justice who has a complaint but also the policeman.

I think that was the point that you were making, Mr. Breaugh. Very often policemen receive unfair criticism through the press or get short shrift of some sort. I agree with you that something is needed there and I hope when we put these three together that we'll have an opportunity of doing something about it before we have to go to the people

again. But we'll have more to say about it as the estimates go along.

As for police chases you'll be glad to know, Mr. Singer that we have put out a memorandum within the last week. I assume it has gone out.

Mr. Russell: Mr. Bell says it has.

Hon. Mr. MacBeth: Mr. Bell says it is now sent out. We agonized over it a little bit in regard to police chases in a general memorandum. The larger forces had various types of instructions, some in the form of manuals. The Metro police had quite a detailed series of instructions, such as might go into a police manual. The one we have sent out to all the commissions and police forces is more along a narrative style, but we'll have a copy of that for you as well. It has now gone out. I don't think it tells much more than what we've already said in the House, that the ultimate decision has to be with the police constable involved.

[3:30]

I've been following them, and there's no question that we've had a great rash of police chases in the last three months, since the spring season arrived. There is one I don't want to comment on yet, because I'm still waiting for a further report, but I'm not satisfied with it and deputy is not satisfied with it. However, most of them, after the smoke had cleared, I think vindicated the decision that the police officer had made.

You referred to that one in Oshawa where the woman was injured the other day. Sure, it cost money. Yet I don't know what costs might have resulted if the offender had got away; he might have done more damage than was done. These are the intangible things you don't know about. You say: "Was it worth it?" As I say, when I look at the reports that have come from coroner's juries or from the investigations that have been done, I think that in most cases the police have been vindicated. As I say, there is one in particular that I'm concerned about and where I question the wisdom of what was done. However, we'll probably get more into that as we proceed.

The hon. member for Oshawa said the cost of police services is getting astronomical. I know that, and we could carry on quite a philosophical discussion of costs and statistics. In other words, there is the theory that the more police you have, naturally more charges will be laid and more convictions will appear in the books; but instead of the crime rate dropping, as you might suspect



when you get more policemen, the crime rate appears to go up because you get more charges and more convictions. So it's an unending sort of cycle. Maybe if we had fewer policemen, the crime rate might go down if we followed that same theory through. I'm not advocating that, but there are people who will argue quite fiercely that the fact you have more police does not necessarily mean you're going to have less crime; it simply might mean you've got more detected crime.

I don't know what we can do about the astronomical cost of policing. I agree it's getting out of proportion, yet I suppose that if the state of society is such that we need more police, we're going to have to pay for them. Whether that comes out of the pocket-books of the provincial taxpayers or the municipal taxpayers, is again, one of the decisions that governments have to make. They gave quite an increase last year, as you know. In the large regional systems the increase was from \$8 per capita to \$12 per capita, and that extra \$4 disappeared very quickly. There was no increase this year and, of course, we've heard from all of the regional municipalities about how unfair we are. I am suggesting that they will have to limit some of their police expenditures; the answer comes back, of course, that that means less policemen. I think there are other ways of doing it.

We've been criticized in connection with the two-men cars, and not only at the time we're not giving an increase. In some regions, such as Metro Toronto, we have had to put two men in each cruiser, and the argument from some of the commissions is that that cuts down their surveillance. I would sometimes argue differently with them, that if you have an emergency or a serious situation where you need a policeman, it's far better you have two there than just one. These are the sort of philosophical arguments you can get into.

Organized crime? As you say, Mr. Singer, yes, we have organized crime. I don't think it's a great threat to our society. You commented, or Mr. Breaugh asked me a question, about the statement in the House, but I think that's the way the United States eventually was successful in getting after a good part of their organized crime back in the—

An hon. member: In Las Vegas.

Hon. Mr. MacBeth: —Twenties and Thirties, was to get after them through the tax collector, and things of that nature. We are trying to do just that, but I would rather you speak to the person who was instrumental in

putting that part of the report together and get his ideas on how we are going to make it tougher for them to operate by employing economics rather than ordinary police tactics.

Organized crime is used as an argument for increasing police expenditures, and a justifiable one. But I don't think organized crime is as great a threat in this province, thank goodness, as it is in other jurisdictions, because of the high regard of most people in this province for law and order.

Regarding a movement towards centralized police systems with high technology, Mr. Singer and Breaugh took slightly opposite positions on this. In talking to the police, and you will get it particularly from the older chiefs or senior officers on the forces, there are those who regret the fact that we don't have more policemen on the beat.

I remember when I used to go to school that there was a policeman who took us across the road, and often took us by the hand—and occasionally even gave us a boot on the backside to make us move a little bit faster. But he was a friend, and he was one we looked up to. I regret that there is not more of this relationship in metropolitan municipalities, but I guess with the high cost of policing we just can't afford that sort of thing.

Again, it is an assessment by the various commissions and the municipal fathers. They have to decide whether they are ready to pay that kind of price for that kind of relationship, which I think is good—and as I say, personally I would like to see more of it. I think it's worth it. I often think that rather than see one or two policemen riding in an automobile, one or both of them should be walking on the beat and talking to the citizens as they go along. That has much more value than two of them riding around a residential area in an automobile. I guess you get that in the smaller forces, the smaller towns; but that brings up all the disadvantages that Mr. Singer was talking about.

We are doing our best as far as police training is concerned. People do not suddenly go from being a civilian one day to becoming a police officer the next day. But, Mr. Russell, I guess it still happens occasionally. What we are trying to do—and we can do it with the larger forces, but it is more difficult with the smaller forces—is take their police officers down to Aylmer and give them training. But, of course, if you have only got three or four policemen on the force, it is hard to do that sort of thing because they are needed. It is one of the problems we are dealing with.

I think there is some advantage in amalgamating some of the smaller forces, or trying to get them together. We have a continual problem with policing some of the smaller municipalities. I think the population figure is 5,000 when a municipality is supposed to do its own policing, or have a contract with the OPP to do it for them.

Of course, we have a variety of situations. In some cases we are not charging them what we should. Again, it gets into the cost situation and the present conflict of the dollar, where we should be charging municipalities for doing their policing, or else have them do it themselves.

I think because of the desirability of having a larger force, it may be that the 5,000 population figure should be looked at again, and perhaps not expect a municipality with simply 5,000 people to establish their own force. There's much where we are at fault and we should be moving, and are trying to move, to correct the situation. But while provincial budgets are tight and while municipal budgets are tight, it's difficult to change it either way.

I was interested in your remarks, Mr. Breaugh, about a tragedy being required before we are prepared to look into a situation. I am not so sure I agree with you, and perhaps I could stop here and you might give me some explanation of what specifically you mean in regard to that.

Sure, when a death occurs, there is a coroner's inquest, or there is some kind of police investigation. But this is done within the limits of the finances that I have been talking about. We are trying to provide supervision in order to keep an eye on things before tragedies occur. And, of course, we are not going to stop all tragedies or kind of disasters, nor are we going to stop all criminal action. So I don't know whether you are prepared to enlarge upon what you mean by a tragedy being required before we do anything about it.

**Mr. Breaugh:** The thing I was referring to specifically was the occasion, using Napanee as the example, of a small police force that perhaps had unreal expectations put on it. I just want to read something that the chief said. The chief said he had never instructed new constables in the powers of arrest or tested them on them or given any training on firearms nor had he attended seminars with them conducted by the OPP detachment here. He admitted he didn't know how many of his men attended the seminars.

I think as a ministry you have a responsibility to monitor that kind of a police situa-

tion. That's not somebody saying what went on; that's the chief admitting what he didn't do. How can that be?

**Hon. Mr. MacBeth:** That inquiry took place as a result of what?

**Mr. Breaugh:** A complaint from the council.

**Hon. Mr. MacBeth:** As I say, I don't think it was any particular tragedy that brought that news out. It was something of which I'm sure our police commission must have been aware. Whether we should be forcing these municipalities to send their people down on a regular basis or not, I don't know. I think maybe we should be.

**Mr. Breaugh:** Wouldn't you agree that it ought to be a requirement of the police chief, however small his force, to give that kind of instruction before someone goes on the beat? Would you allow any other kind of government agent, a fire inspector or a safety inspector, to go on the job without any training at all?

**Mr. Villeneuve:** I have had to deal with this up in my area. I represent a rural area and it's unfortunate, but it's municipal politics. As you say, it's a clear example. I honestly think that the Solicitor General should send out directives that people be properly trained and take it out of municipal politics.

**Mr. Breaugh:** The point I'm making is that even in small police forces somebody is named chief and, to my mind, that means that he's responsible for that force and there ought to be minimum requirements. They're saying here, and the chief is saying it, he's sending people out on active police duty with all the status and all the responsibilities of a police officer without even telling them — and he's admitting it, Mr. Minister — simple instruction in firearms. Would you allow an ordinary citizen to do that? We give the police extraordinary powers, and I think quite rightly. Nobody else can tote a pistol under their belt but a police officer can and that means that he could use it. It could happen realistically in the first 10 minutes he's ever been there.

**Hon. Mr. MacBeth:** You're quite right that could happen. From the Ontario Police Commission we have instructors and advisers that go around the province and try to give on-the-job training and advice. The real thing is to get them down to Aylmer and, as I say, that runs into conflict with the local council which doesn't want to spare people to send them down there. Maybe we should be making it compulsory and I think we're getting into a



position now where we can do that, as we have the college and the facilities there. It's local municipal politics to a certain extent that keeps this from happening. I agree with you that they should be trained.

**Mr. Breagh:** There are a great many police officers who are hired and go on the beat first. After they've been there six months or a year then they get some training; then they send them to Aylmer if it can be arranged.

**Hon. Mr. MacBeth:** Mr. Russell, do you have any information or figures in regard to the numbers?

**Mr. Russell:** I haven't got the figures; we can get back at that in the OPC vote. Within the first 18 months any new recruit now has to take his preliminary training. They don't go down the first day, as Aylmer couldn't handle it. It has to be staged in as the courses come up. With the increased availability of the college and more classrooms and so on, we're going to handle this much more easily so that we'll be able to move at a faster rate. You do run into the situation of municipalities—we pay the cost when they come down—they have to release the people and they pay their salaries. We pay for the travelling and their training at Aylmer.

It's definitely moving and it's getting much better. The new college is just the complete answer. As for the curriculum, which has been briefly mentioned, we have copies of the new curriculum and we'll bring that up in the next vote. They are coming in in the first 18 months. Then when they go back they have an in-service training set up. You hit on a bad spot on Napanee. As you well know that situation is still going on and is being concluded next week. It's really before the OPC now.

[3:45]

**Mr. Breagh:** It is the same thing to me as saying, "Now you are a doctor. Go and practise medicine and some time within the next 18 months you can come in and get some training on how to do it." It's nuts, I would not even let a dog catcher do that.

**Mr. Kennedy:** In that regard I have a question as to the utilization of this training facility and the relationship between the OPP recruits or officers who are trained there and other municipal forces. Is it primarily for the OPP and then you take as many municipal officers as can be fitted into the accommodation and the course programmes? Could you comment on that?

**Mr. Russell:** We take both. We take both OPP; we take Metro; we take all the municipal forces. The new recruits, OPP, are brought in too. They take a training course over on Sherbourne St. where we have a small college but they go to the Aylmer college for their preliminary training and they go down there for the advanced courses.

**Mr. Kennedy:** In either force they can start on some basis, presumably, without training if their other qualifications measure up.

**Hon. Mr. MacBeth:** I am not sure if that is right for the OPP.

**Mr. Russell:** OPP recruits, I think, definitely go to Sherbourne St. and take their course there first. Then they go out and take an in-service course and they work them into Aylmer.

I think Toronto has its own training college and man of the big forces do. I think Hamilton is the same. In the big area and the small places like Napanee we have a big pickup to do and it is getting tremendously better, I can assure you.

**Mr. Chairman:** Any more discussion on that point?

**Mr. Singer:** Yes, on that point particularly.

**Mr. Moffatt:** We are allowing a bit of latitude right here and then the minister will conclude his remarks.

**Mr. Singer:** A specific recommendation in this task force report is "An Ontario Police Commission designed or approved orientation programme be adopted by all Ontario police forces and this programme be made mandatory for all recruits prior to assuming any policing responsibilities." Is that one of those fully implemented, partly implemented, to be considered in due course, or which category does that come in?

**Mr. Russell:** That's under way. We are working toward it.

**Mr. Singer:** Why can't you make it mandatory?

**Hon. Mr. MacBeth:** Mr. Singer, for the reasons I have given. We have still one or two of these police forces with very few people on them, and very limited budgets. If you suddenly take a third of their force or a fifth of their force away for a long training in Aylmer—even two or three weeks' training—they are just not prepared to pay that kind of cost.



**Mr. Singer:** You're going round and round in circles. You shouldn't have that kind of force, in my opinion, or in the task force's, either.

**Hon. Mr. MacBeth:** I think these things have to be done gradually and, as I say, we are not disagreeing with the point that either of you make. We shouldn't have raw policemen on the job but that's the way it has been for a number of years and we are trying to rectify it.

**Mr. Breaugh:** It just seems strange to me, though. Here's another example—a driver's licence. Driving an automobile is a much simpler act than operating as a police officer. Would you take that same attitude with the general public out there and say "Drive around for a while and after you have driven and you know how to drive, come and take the test"? No, you make them take a written test and then they have to prove their performance. Then they get a licence and then they can drive. Yet, with a police officer, you are not willing to do that.

**Mr. Russell:** I think that in many of these places you are referring to when they come on they are given inservice training and they are put with an experienced police officer.

**Mr. Breaugh:** You hope.

**Mr. Russell:** Yes; I am not saying in every one, I said in many. When an opening occurs they get the name to Aylmer and down he goes. They bring him in; he is helpful and he works with the police on the inservice training. Your good forces do that, your good chiefs. Most of them are fine and they do work at inservice training. When they come back they go into inservice training again and work their way through and they gradually take more advanced courses.

**Hon. Mr. MacBeth:** I think it would be a very small number. I don't have the figures and I don't know whether we can get them—Mr. Russell?

**Mr. Russell:** We can have figures for the OPC vote; I am sorry we haven't got them. It's a little number but we can get them.

**Hon. Mr. MacBeth:** It's the number who are civilians one day and police officers the next day, right on the street.

**Mr. Russell:** I don't know whether I could do that.

**Hon. Mr. MacBeth:** I would think it's very small but I admit it can happen in a small force.

**Mr. Singer:** There are eight recommendations under recruit training; I read only one of them. Perhaps at the appropriate time, certainly before these are over, I would like to get a complete report on the extent to which these eight have been implemented either fully, partly or not at all. I think they are quite significant. For instance, 4(3) is another one that comes to my eye quickly: "The Police Act be amended to include a requirement that every new police officer successfully complete the basic recruit training courses within the probationary period."

**Mr. Acting Chairman:** I think, Mr. Singer, we'll take your suggestion and come back to it under the appropriate vote. Perhaps I could ask the minister to conclude his remarks now and we'll move into the first vote.

**Hon. Mr. MacBeth:** Mr. Breaugh raised the matter of complaints against police. I was interested in your comment about conduct required above the norm and I think you're right. It was the part I was trying to deal with, and not very well, the other day in answer to a question, where I talked about policemen having to use force and what amount of force a policeman can use. I guess he is entitled to use reasonable force to apprehend a criminal. I compare it somewhat to the force that you maybe would get on a hockey rink.

**Mr. Breaugh:** It's a bad one. Mr. McMurtry has got that.

**Hon. Mr. MacBeth:** Yes and no. You get into a situation where some force is permissible and necessary. It becomes a fine line of distinction for the police officer to decide that's all the force that was necessary and that extra arm-lock or whatever else was involved was not necessary, and at that time it becomes some kind of police brutality. It's a difficult field to know when you're crossing over that line. You were referring to police conduct of another sort in that even when he is off duty he can't conduct himself in a beverage room the way somebody else might conduct himself. I think that's one of the responsibilities that goes with being a police officer, just as I suppose you as a member of this House have certain restrictions on your movement and what you can or cannot do that the ordinary citizen may not have.

**Mr. Breaugh:** Let's not get into that. My estimates aren't being debated.

**Hon. Mr. MacBeth:** Maybe some of us cross over the line occasionally and hope we won't get caught at it. At the same time, I agree that there is a higher degree of conduct required from police officers and maybe it's reasonable that that higher degree of conduct is required. In other words, if he is allowed to come out of a tavern drunk one day, even though he's not driving, it's going to be pretty tough for him to arrest somebody the next day for the same offence. I say it is one of the onerous responsibilities that go with being a police officer and it's a tough one.

You say there has been nothing from the ministry on gun control or wiretapping. Last fall I had something to say about gun control. I said—and it is government policy—that if the federal government didn't act on gun control we were prepared to enter the field, because we thought it was certainly necessary in urban areas. I have had just one meeting early in the game with both Mr. Allmand and Mr. Basford in connection with it in my office before they introduced their legislation. We discussed what we were attempting to accomplish. I think our purpose was similar to that of the federal authorities with the same end and we applauded what they were attempting to do.

Subsequently, they introduced their legislation. The problem we find with that legislation is that the responsibility for administering, as well as the cost, will be tossed on our provincial shoulders probably.

**Mr. Singer:** How are you going to avoid that unless you change the BNA Act?

**Hon. Mr. MacBeth:** I don't think we can. They are to make regulations and we haven't seen the regulations yet. I don't want to be unduly critical of it until I see the regulations that come forward. We're afraid that they're going to be pretty complicated and pretty expensive to administer but that's a fear which may be unrealized. We're not anxious that it should become difficult for the farming community and for the legitimate gun user. We don't want to make it difficult for them to obtain the required licence and yet we do want to put some controls on it.

In our own minds we had worked out some ideas we thought were pretty reasonable to make it possible to administer gun control without making it impossible for the legitimate user or putting a lot of hurdles in his way. We are not so sure that the federal legislation is going to produce that.

But, in fairness, we can't say that until we see what their regulations are and just how they ask us to administer it. That's why I haven't been saying anything in the meantime. I am waiting to see what regulations may come up.

**Mr. Singer:** That statute isn't through the House of Commons yet.

**Hon. Mr. MacBeth:** No, I think it's part of their legislative programme.

**Mr. Singer:** Mr. Allmand's under pretty heavy siege by one of the best organized lobbies that exists and it spreads over from the United States, I think.

**Mr. Russell:** We have had meetings on it with the Ottawa people. We have been down there and there is another meeting at the end of this month on June 27 and 28. Two members of our ministry are going down. This is on the administration end which is a fearsome thing.

**Hon. Mr. MacBeth:** On bail reform, I applaud bail reform but that's part of the deal too. I don't know just how much of it has gone through but certainly it was required.

On wiretapping, the police forces are happy with the proposed changes in wiretapping but I think there is a more fundamental issue than what keeps the police forces happy. It is a matter of civil rights. I have felt that was a matter for my colleague, the Attorney General, to comment when it came to civil rights rather than for me to comment on wiretapping as it affects the police. I say the police are happy with making this valuable tool somewhat more accessible to them. In that sense I applaud it but I am also conscious of the fine line for civil rights. I felt that the wiretapping might be criticized more along that line and that was a matter for the Attorney General.

**Mr. Singer:** Can I just add a sentence or two on that? Long before we had any wiretapping law, we had an awful job getting anybody to admit that there was any wiretapping. We were able to pinpoint substantial expenditures of money for no known purpose. One had to conclude if one had a suspicious mind that some of this might have been for wiretapping. With the advent of the federal legislation in the first instance, and certain rules and regulations being laid down, then it became once more apparent.

I have always contended and I contend to you now that since you are in charge of all of the police in Ontario, and since the terms of the Police Act are pretty broadly drawn, you can control the police use of wiretapping, no matter what the federal statute says. You may have a little more trouble controlling the private use of wiretapping without an appropriate statute but surely you can control police use of wiretapping. If there is a concern in your mind about an invasion of civil rights by the police, you can control them. I am wondering if you shouldn't be looking at that aspect and not waiting for the Attorney General to make representations about changing the federal statute.

**Hon. Mr. MacBeth:** I agree that we can control it. Under the controls as they existed previous to the proposed changes I was satisfied that the rights of the individual were protected, that is, having the necessity of getting court orders and things of that nature.

**Mr. Singer:** And notification to the person.

**Hon. Mr. MacBeth:** And notification. I know there is some concern about how this affects people in hospitals and doctor-patient relationships and confidentiality. I was satisfied that the judge before he gave that order would probably look at the circumstances involved. There was some question as to whether the person being presented with the order, whether it was a hospital administrator or not, had to read the order, whether or not he was entitled to see the contents and what the order said. It seemed to me unreasonable that anybody should have to comply with an order on the face of the person presenting it without having an opportunity of reading it or seeing it. I think there was some legal question of what the law said in that regard, but it was my own thought that it would be unreasonable to ask anybody to say: "Here is an order and you have to take my word for what that order says. You must comply with it." That was one of the questions that was raised by hospital administrators but I was satisfied that they were being protected.

Admittedly, when and if the new bill becomes law, there may be within the framework of the new law further restrictions that we might want to put on it, and we haven't considered that yet. I don't know whether you have, Mr. Russell, or any of the ministries but certainly I haven't considered how we may want to put limitations on the new law if, as and when it is passed.

[4:00]

The Police Association is getting political and running ads in newspapers: I saw some of the ads and I think you are referring to the ones in favour of capital punishment and that sort of thing. I questioned it at the time myself yet I decided—in my own mind; I don't mean I had any formal discussions with anybody about it—that they were doing no more than other associations might be able to do. They weren't offending any principle. If you think they are offending some principle—

**Mr. Breaugh:** No, that's not the point at all. The point I am trying to make is I don't think they have an acceptable means of communicating, for example, with you or with their own chiefs on an ongoing basis which fulfils their own needs of expressing what they think is right about their job, what is wrong about their job and how to correct a given situation.

I think it is simply an indication of their frustration that they are choosing to use this other means, through Police Association ads in the paper or things like that. It strikes me that in a number of areas there is a need for an ongoing communications link between the officer on the beat and the people who are deciding the policies of a police force. That does not appear to be there.

**Hon. Mr. MacBeth:** I don't know what we can do. I am available at any time the various associations want to meet with me. I have met with the Ontario Provincial Police Association a couple of times, both socially and formally. The police chiefs have met with me. I have met with a number of the associations, whether it is the chiefs or the ordinary constables. I see policemen, talking to them privately and socially as you do. I don't know what more we can do.

Once in a while a policeman asks to see me for some reason or another. In the time I have been in the ministry I have seen one or two who had personal complaints and I have listened to them; on one or two occasions I have tried to help them out. My door is open. I don't know really what more we can do within the limits of time.

**Mr. Breaugh:** I think really the problem is that police departments are—I don't know how to express this—kind of paramilitary institutions with a direct line and staff kind of organization. The opportunity for someone who is working on the job to have input into decisions is a little on the limited side and in some forces I know it is not there at all.



There have been a couple of cases, I guess, in the media in the last few years of senior Metro officers who were near retirement and who just walked away from it. The frustration level was such that they just quit and went out and raised horses or something somewhere. I think it speaks to the problem of how police forces are set up and what their model is as opposed to, say, even an industrial workplace these days.

For example, General Motors of Canada has a real incentive programme for people working on the line to make suggestions about how things might be done better or more efficiently. It gives them up to \$10,000, I think it is, for suggestions.

In police departments, the ordinary working person there, the constable on the beat, doesn't have much incentive to communicate with his senior officers on policies and procedures. In some instances, I think it is fair to say that's directly thwarted, maybe because of the traditions of how it was set up in the first instance. Privates don't normally go to the general and tell them what is wrong with the army.

**Hon. Mr. MacBeth:** I agree it is a paramilitary organizational setup. I think that is necessary. But with the strength of most of the associations I think there are very few today who have a fear of questioning authority. Admittedly, it is not a union setup with the same kind of grievance procedure; I am not so sure that would be desirable in a police force. As a matter of fact, I don't think it would be.

I think most of the legitimate complaints, apart from what we were talking about earlier, are that they need a more defined procedure for hearings between citizens and themselves.

**Mr. Breaugh:** Why do they necessarily have to be viewed as complaints or grievances?

**Hon. Mr. MacBeth:** Do you mean just simple suggestions? I think any policeman would feel free to make suggestions of a constructive nature to his senior officer at any time. I look at the ones that they might be concerned with if it was a complaint. That's why I was talking about complaints.

But, certainly, if it was some constructive suggestion, there would be very few situations in which a police commissioner or a senior officer wouldn't welcome it. Whether they would do anything about it is a common management and personnel problem

with any business or industry. You talked about job frustrations. I read in the paper the other day about a senior police officer, I think in Toronto, who was complaining more about the treatment cases got in courts, rather than about police commissions, and he said that was one reason why he was retiring.

But I don't think the frustrations in police or fire forces are any greater today than they are in any other line of endeavour. Sometimes as a politician I get a little frustrated and think it's time to quit. I guess some of you would agree with that. But I think all people get fed up with what they're doing from time to time. That police officer was getting close to retirement, and I think it was simply a case of him taking early retirement and saying that he had some frustrations. I don't think frustrations are any greater in police work than they are in any other field.

**Mr. Moffatt:** May I just add one comment to this whole thing? One of the things that the police associations and the officers in general have agreed to is the idea of the setting of salaries and working conditions as being subject to compulsory, binding arbitration—and they accept that. But at the same time as political animals set their salaries through various restraint programmes or otherwise, there is no way in which those people can take part in the political process, even to go so far as to publicly support a candidate for a federal election. That can lead to very serious problems in that area.

It has always seemed strange to me that if the system in which a person works is so shaky that the ordinary constable has inside information that can bring it down, then it is probably time it was brought down.

I just think that there's a great paranoia that exists here in not giving these people the kinds of rights, as far as political action or political activities, that any other citizen has. In fact, we probably would be solving some of the problems that Mr. Breaugh has been alluding to if we were to say to policemen: "Your membership in a political party or your activities on behalf of a political party are permitted as long as they do not involve the divulgence of information which you are privileged as a result of being a police officer, or you do not break your oath"—or whatever you want to tell them. Why is that sort of argument never brought forth?

I have a number of police officers in my area with whom I've gotten to be friends

with in the last few years, and they are very concerned about that. You meet them socially and they tell you there is something wrong if they can't express an opinion; if they can't stick a sign up on their lawn to vote for John MacBeth, or whoever.

It leads to some pretty silly circumstances. Their wives would be asked to act as a scrutineer or as a returning officer, and they would almost have to run cap in hand to the person in charge and say, "Would this be all right?"

I just feel they consider it coercion and they probably wonder why they don't have those kinds of rights clearly spelled out with the ministry, and I suppose right down the line to local police officers.

**Hon. Mr. MacBeth:** Frankly, I don't know what restrictions there are on policemen. I don't know whether you know, Mr. Russell. I don't know of any legal restrictions, but we should find out if there are any.

I think it relates to this matter of conflict of interest, which we can deal with in a general way in a few minutes. There's no doubt about it that in society the policeman has to be an arbitrator on many occasions. When he walks into a situation, or when he's presenting evidence in court, it is pretty important that he be regarded as an impartial person—just as our civil servants here are. The majority of senior civil servants keep out of politics unless they're in a position that is recognized as a political position. I think it is wisdom and discretion for the successful prosecution of your daily job not to make your party politics, if that is what you are referring to specifically, too apparent. I can't think it is a good idea for a municipal policeman to come out strongly in favour of one candidate for mayor or one candidate for alderman or anything else, even to the point where I think it would be wise for him to put a sign on his lawn, but I don't know whether there are any legal restrictions against that.

**Mr. Moffatt:** That is why I raised it, quite frankly, because there seems to be a whole series of unwritten restrictions. You mentioned the senior civil service. I recognize that in the case of a person who is in possession of confidential information and could have impact on decision-making at the ministerial level, obviously there is a need for some sort of code or standard to be applied there which in some cases I suppose precludes political activity.

I think a lot more openness in that sort of activity would lead to a greater confidence that the political system and political activities do have a legitimate place in what goes on. There is a great deal of scepticism about the validity of politics and everything else. It is shared by police officers, particularly in the light of happenings in recent years in other countries, which I think may be stem in part from the kind of concept that if you are a police officer you are non-political and you don't have political beliefs that you tell anybody about. That kind of statement that somebody makes, or at least aids and abets, really seems to me to do a lot of harm to the political system.

**Hon. Mr. MacBeth:** I'm not so sure I agree it does political harm. As I say, I don't think there's anything to stop them, other than their own discretion, from saying, "I'm going to support John MacBeth" or support somebody else. Occasionally—and I'm sure it happens to you—a public servant of some sort will come to you and say, "I'd like to help you, John, but because of my office it will have to be done sort of quietly." I don't think there's anything sinister about that sort of thing. It's just that John MacBeth may not get elected and he has to work with somebody else.

Surely it's wise that there should be nothing to mar that relationship between him and whoever may be elected. If, say, he was a local fireman of some sort and had a strong record of supporting me municipally and my opponent was elected, I think it might be a strike against that chap when the new fellow had to decide whether he was going to be promoted or not. I think it is just wisdom on his part.

**Mr. Moffatt:** Surely from time to time people who do work within an organization have information about that information which should be available to the public, not confidential, private-case stuff—I want to separate that out—which really would lead to at least an alteration of public opinion or public image of that particular organization.

I think there are states or provinces where such legislation was introduced and did lead to the early demise of a political regime, and probably rightfully so. There were things going on which, if the public had known about and they should have known about, when they came out really helped to speed up the political change that was required.

I am just saying it because I would like clarification of whether there is a directive somewhere along the line which says no or yes or whatever. A number of people have concerns here and I think it would be worth putting it on the record.

**Hon. Mr. MacBeth:** We will get that information. I certainly don't know of any direction that would stop a person, that is, a policeman or fireman, from taking an active part in politics, on anything to restrict them, other than this matter of discretion that I am talking about. As far as knowing something that in the public interest should be disclosed, I suppose that is a matter of his conscience, whether it is something he feels is of minor nature and his loyalties to management or to the system would keep him from disclosing it; or if it's of such a serious nature that he can't live with his own conscience if he doesn't disclose it. I guess it's as simple as that on that problem.

[4:15]

Do you want me to return, Mr. Chairman, to some of the comments I was making in reply to the two leading statements? You referred, Mr. Breagh, not to the amount of money the police get—I think you were referring to police; maybe firemen as well—but the lack of open and honest negotiations. I'm not sure exactly what you meant by that unless you were speaking against arbitration and in favour of negotiations as we know them in the industrial world.

**Mr. Breagh:** I sense—and I have had a number of people, both police officers and firemen, come to me and really put the case to me—that they are getting it neither way. They can't negotiate as an industrial worker can and they tend to accept that. On the other hand, they are in the binding arbitration situation and it seems that they are forever receiving a decision on last year's arbitration. They are hung up on it badly.

If you like, there is a pretence of negotiations of sorts going on but in the end it always comes down to binding arbitration. They are finding considerable frustrations in that. In other words, they are going through a negotiation process which in the end everybody knows they are not going to get. I'd go so far as to say that both sides know they are not really going to negotiate something.

If you are dealing with the firefighters in Oshawa, everybody involved in the situation knows that what is relevant is what happens in Scarborough or North York. You can sit

there and negotiate until you are blue in the face and at the end of it, somebody is going to put it out to arbitration. That will be what the answer is. I sense considerable frustration in that regard.

**Hon. Mr. MacBeth:** I agree there is frustration on the time element but that is no different from what happens in the industrial field. Certainly, there is frustration. As the Minister of Labour, I used to get many people coming to me, complaining about the length of the procedure and the apparent sham that negotiations would go through. The offence or fault was on both sides, both management and labour, in that way.

I don't know whether this is any worse than it is in the ordinary industrial union, with the frustrations they go through with the various procedures and time for them, all knowing that they have to get to a strike situation before they are going to get any meaningful bargaining. I think the police go through these procedures much faster than they do in the industrial or commercial world. I am not sure I can agree with or understand exactly what you are trying to say there.

**Mr. Breagh:** Okay, let's leave it then. I don't think you are liable to agree.

**Hon. Mr. MacBeth:** You suggested that the George Drew Building could have been put somewhere else. I can't give you any good argument why it shouldn't have been put somewhere else. It's centralized here. I don't know whether you've got any comments, Mr. Russell, on why that site was chosen for it.

Certainly every Monday morning—not just Mondays but particularly then—I notice the number of police cars which drive up there with evidence the officers want to have examined by the forensic laboratories. They are from all over the province so I think it is good that it be centralized. Why it couldn't have been in Barrie I am not so sure.

**Mr. Russell:** I can just speak on behalf of the ministry. I think there is a definite advantage to have as much of the ministry as you can under one roof. When I first came in it was scattered all over the city. The fire marshal is still out at Keele and Dundas—Keele and St. Clair. I guess they chose that building because they got the property. It was way back in the early 1960s when they started this, so it's from quite a while back. As far as the ministry is concerned, it's ideal. It works very well.



**Hon. Mr. MacBeth:** In connection with the community colleges, there is some merit in that; I'm talking about training now. As you know many of the community colleges do have various degrees of law courses, many of them leading into police work. There is one at Humber College in police work and from there they go to the various police forces. Those courses, I think, are well recognized by the various police forces. I would suggest the reason the final training has to be done in places like Aylmer or apart from community colleges is because of the paramilitary nature of them. I don't know whether a group of men parading or taking the kind of discipline that goes on there, would form a natural setting in a university ground. I don't think they would. I think there is some advantage in being separated from the kind of easy-going atmosphere that is in a college or a campus setting as opposed to the more rigid discipline that's needed with police—at least it's felt it is needed, and I agree that it is needed.

Certainly the universities and colleges are used both before the military aspect of the training, as you will hear later on. We have sent many members of police forces, particularly members of the OPP, to university for various types of university degrees and training. They are used later, but I think that's why they are segregated at least for the semi-military part of it.

As to qualifications, in terms of height, multiculturalism and so on, I agree there are not enough as far as the multiculturalism is concerned; we should have more of these people. A certain amount of training is required, and a certain educational standard. I think you yourself suggested that higher education of some sort was desirable. Of course, many of the new Canadians who are coming into the country are coming here for a new chance in life and for some of the advantages; and when they come here, they don't have the higher education that the police need and are looking for. But certainly there are many second-generation policemen here with all kinds of non-Anglo Saxon names and backgrounds, and I think they're doing the best they can to have an educational qualification and to get people of multicultural background, but not as much as we should be doing.

Regarding the problem of moving police about the province or within municipalities, I had somebody come to me just the other day and say, "Constable So and so—" this is an OPP chap "—is getting pretty well known in the community and getting pretty friendly

with some of the people. I think he should be moved on." Now that's the other side of the story. As I say, I like to see the police know the people on the beat and in the community, but the other side is that they can sometimes get a little too close. So there are two sides of that story.

Mr. Breaugh mentioned getting close to the American scene as far as some of our training and practices are concerned, but I don't think overly so. Sure, we look to American methods for what is good in them. I hope we're not taking all of them holus-bolus without trying to sort them out, and I certainly don't want to adopt many of the systems we see in the United States, but I think we are certainly looking for the best in their systems. Maybe when we come to discuss the actual training, you'll have more to say about that.

He also expressed concern about us paying a hefty price for moving into the 20th century. Again, that's all part of the problem of the high cost of policing. I regret that perhaps society requires as much policing as it does require, but it's society that has to pay for that policing; certainly if we want the quality of policemen that we want in terms of skills, we're going to have to pay for them. I don't think that our police are being overpaid at the present time, so that's all I have to say about that.

I'll just refer briefly to some of Mr. Singer's remarks. I've dealt in part with some of them that were comparable to Mr. Breaugh's.

Mr. Singer asked which of the task force recommendations have been implemented and which ones haven't. We'll have the complete list of the recommendations for you the next time we meet, Mr. Singer, listing which ones have been carried out and which ones haven't.

**Ms. Sandeman:** Will you circulate that to the committee?

**Hon. Mr. MacBeth:** By all means. That's not going to be difficult, is it, Mr. Russell?

**Mr. Russell:** I have it here. I'll make copies for the committee.

**Hon. Mr. MacBeth:** Police commissions, judges, county and provincial, conflict position—I know this is a favourite of yours, Mr. Singer, but I must admit that I personally have what I guess is the diametrically opposed view to it. I take the position that all of us have to deal with conflicts every day of the year. We would like to have conflict of interest removed as much as possible, but nobody has a greater conflict to decide on

a day-by-day basis than a politician has, what is a personal responsibility and which is a public responsibility, then, even with your public responsibilities, which group of public has the primary interest. I think that's a very act of being a politician and making decisions as being able to decide between conflicts.

**Mr. Singer:** Let's talk about justice and not politicians.

**Hon. Mr. MacBeth:** I am saying that conflicts are with everybody, and I was going on to say then that as far as I am concerned you can't remove the conflict position from a police commission. In other words, somebody is going to come to you, whether you are a politician or a judge on a commission, and ask what you can do about trying to get a word in for him on this matter or that matter, or can you fix a police ticket or something of that nature.

**Mr. Singer:** That's not the point.

**Hon. Mr. MacBeth:** Well, I know you are dealing with the matter of—and this is what you said—disciplining a policeman one day and the next day having to accept or not accept his evidence in court. I am saying you can't eliminate all of the conflicts in society and that the judges are the best trained, in the best position, to deal with conflicts. No matter who you have on police commissions they are going to have some kind of conflict arise in that responsibility or in that position.

You can't accuse us of any political favouritism—and I know you are not—in appointing judges, because most county court judges at the present time are federal Liberal appointees of one sort or another, and I think when they get on to the bench that they are pretty good people, far above suspicion of letting any personal prejudices sway them one way or another. I know you too have a very high regard for our judiciary and I can't think of any better group that I would like to have on a police commission to show impartiality.

There are a few people who disagree with me such as Mr. McRuer and some members of our own party, and they will take a stand directly opposite to what I am saying, but who are you going to get on police commissions to be impartial, if not judges? Can you suggest any other group that we could draw on, any resources that would have more ability of dealing rationally with conflict than judges?

**Mr. Singer:** Probably the situation is academic now, because when the judges find that they are not going to get paid for this extra duty, you are not going to find too many county court judges anxious to be appointed anew to the police commission. Maybe Ottawa in its mysterious ways arrived at what I think is a very useful objective. I don't think, Mr. Minister, you and I are ever going to be in agreement on this.

I just don't think that you can have a judge wearing two hats. One day he is promoting a policeman and the next day he is listening to his evidence in court and trying to decide whether or not he is giving appropriate evidence and is to be believed in a particular case. They are separate functions and they should be kept separate, and if he has to deal with these people wearing the two hats I don't think he can do it appropriately.

**Hon. Mr. MacBeth:** Let's say we had all municipal politicians on a police commission. Are you suggesting that they don't have two hats, or wouldn't have two hats to wear from time to time in that position?

**Mr. Singer:** You could get rid of the municipal politicians fairly easily. You can't get rid of the judges at all, and that's a good thing too. That's another kind of an argument. I don't see why a council, when you get into these bigger forces, particularly when you are talking about regional governments, why a regional government cannot have a police committee chosen by itself, and if the people don't like the way that's working they will get rid of that group very shortly, or their colleagues can get rid of them after a bit.

**Hon. Mr. MacBeth:** Surely it brings up Mr. Breaugh's point, that you have to wait until some—not tragedy—occurs, but before some scandal erupts before you can decide that they should be gotten rid of because of their actions on the police commission.

**Mr. Singer:** I have just never been able to understand the rationale that the people that the politicians appoint are better than the politicians who appoint them. I just can't understand it.

[4:30]

**Hon. Mr. MacBeth:** I don't think it's a case of being any better, but perhaps they have less pressure on them than the politician may have. Our police commissions, by

and large, I think have a pretty good record across this province of being scandal-free and corruption-free. We get the odd mistake and the odd problem, but generally speaking they've got a pretty good system. Where you find that police commissions or even the force is answerable solely to the politicians, not that they're any lower degree of animal, the pressures on them are such that being human they bend to those pressures occasionally. I think the record is that politically controlled police forces in the full sense haven't got as good a record as the kind of police commissions we've established here.

**Mr. Singer:** I don't think you and I are ever going to agree on this. I think you are clearly, and obviously wrong. I just don't think judicial people who sit in court and deal with these policemen day by day should be on the police commission. I'm not suggesting they're corrupt.

**Hon. Mr. MacBeth:** No, I know you're not.

**Mr. Singer:** I'm suggesting they're hidebound and unimaginative, and the report says this about the Ontario Police Commission. It talks about bringing in new blood but that move has never been taken. Who have you got on this? You've got a lot of interesting people who brought in this report. They're pretty unanimous about the Ontario Police Commission; they don't deal with local police commissions, but the same thing applies. I think you get the kind of refreshing view that the municipal elections produce from time to time. You may not like a particular council, I don't know if you're enamoured with the present Etobicoke council or not. At one time you certainly were; when you were the reeve you were.

**Hon. Mr. MacBeth:** I always like the Etobicoke council.

**Mr. Singer:** It changes from time to time and maybe some of their views are not quite your views but perhaps that's a good thing; these ideas get renewed. Unfortunately, we get police commissions which very rarely get renewed. They're hidebound and they're stuck into that position. I think there's great merit to it. If you're going to have to have a political body running it, let it be a body of the local council.

**Hon. Mr. MacBeth:** I appreciate that and as you know we have adopted a lot of your argument and the argument of others in removing provincial court judges almost completely. I say "almost completely" as there

are three jurisdictions where provincial court judges are still part of it.

We've accepted that because provincial court judges are dealing with police matters on a day-by-day basis and there is a great opportunity for conflict there. But for county court judges we feel—at least I do, and I shouldn't be speaking too generally now, but certainly it's my feeling—that the risk of conflict is so rare and that they are a group trained to deal with conflict that can sort things out and that they're a greater asset than liability.

**Mr. Singer:** I just can't resist pointing out to you that you're arguing out of both sides of your mouth at the same time.

**Hon. Mr. MacBeth:** It's a matter of opinion.

**Mr. Singer:** At one stage, you spent 20 minutes saying there was no conflict but then you say you did accept the idea that with provincial judges there might be, so you've taken them off. I think the county court judges will probably disappear.

**Hon. Mr. MacBeth:** I don't think I said there was no conflict. These are people who know how to deal with conflict and the conflict is not as great as maybe some people would argue. I am concerned, however, that the municipal people should have the financial control of police commissions. As you know now, the police commissions present their budget to the municipality which generally sits down and works out some compromise with them after discussing it back and forth. As I understand the legal position, if a commission says, "No, we won't accept your recommendations or we can't come to any agreement," the police commission's budget, as they're prepared to amend it, is what is the final authority. I'm right on that, am I not, Mr. Russell? I think that should be changed.

**Mr. Singer:** One or two of those conflicts usually arise every year with the municipalities.

**Hon. Mr. MacBeth:** Surprisingly, there are not too many. People talk about it. Yet if they take that attitude, there's an appeal to the police commission. You can ask Mr. Bell, but I think there are only two or three that he's had in the last three or four years. I may be wrong on that.

**Mr. Bell:** A little more, six, or seven, but not too many.



**Mr. Singer:** About one or two a year.

**Hon. Mr. MacBeth:** In any event, I am suggesting that the next time we do anything with the police commission Act it should be changed so that the onus is the other way around and the municipality can set the budget. If the commission is unhappy with it, then they're the ones that should have to appeal. In view of the record that there haven't been many appeals, I don't know how practical that is. In theory, I agree that the municipality or the council should have the control of it.

**Mr. Singer:** Being a purist it's the Police Act. I don't think we have a police commission Act, do we?

**Mr. Russell:** Police Act.

**Mr. Chairman:** May I join in the debate on this particular point? I agree with Mr. Singer's basic contention, and always have. We've argued it tooth and nail. I would hope that the relatively new Solicitor General might have seen the light, particularly on the numerous recommendations. A man like McRuer doesn't easily come to that kind of thing.

I don't know if he was ever on a police commission but having been a judge himself he knows the exposure and the pressures involved in this which are quite unnecessary to his operation as a member of the judiciary coming in contact with the police, particularly if he deals in the criminal law area which most county court judges do at one time or another. It's pre-empting him into a false position all the way through.

Secondly, judges are not the right people, I put it to you, for the opposite argument to the one you use. Judges are very insulated and isolated people in our society. You think that is a virtue. In this particular context, a highly public context with respect to complaints coming in from citizens, etc., the internal operations of a police commission, I think it's a real fallacy and real defect to appoint a judge to that particular area.

If I may read a paragraph or two from an article of a year ago—April, 1975—by Brian Grossman, who is a professor of law at the University of Saskatchewan. He says:

Police commissions do not, in their present capacity, serve to increase the communication of private citizen concerns or even political priorities to police leadership. Rather than as an aid to citizen-police communication, the police commission acts primarily as a buffer between the chief and

the community, and as an inhibitor to the chief's direct communication with senior city executives. [Further down he says] A permanent chairman [that's what these judges mostly are,] will indeed accumulate some knowledge about policing. He may also within a short time become co-opted into the police culture and become their spokesman and support.

That's dangerous for him, not as a police commissioner—if that possibility exists and in human frailty it does—but as a judge as to the way he receives evidence; as to the tenor and mode of address he takes to cases coming before him.

I think you are undermining his capacity, his neutrality and objectivity which are necessary in a judge—which constitute a judge—by having him on the police commission. They did it because of the extra remuneration and because you wanted them to.

I trust the federal moves will remove many of them because the extra remuneration ain't going to be there, and that's fine. To continue to dig your heels in on this issue and not see the gravamen in the argument on this side of the fence strikes me as slightly more conservatism with a small "c" than is necessary to your function as Solicitor General.

I am interested in knowing whether or not they do tend to increase citizen-police communication. My opinion is that in their insulation they don't; on the contrary. That's what the Maloney report was all about and, like Mr. Singer, I would like to hear you say a few words about that.

**Hon. Mr. MacBeth:** I thought you were asking Mr. Singer.

**Mr. Chairman:** No; like Mr. Singer.

**Hon. Mr. MacBeth:** I know you like Mr. Singer. I thought you wanted him to reinforce your own thoughts on it.

**Mr. Chairman:** I don't want to go overboard for Mr. Singer at the present time but I agree with him on a few things.

**Hon. Mr. MacBeth:** I don't know whether I can say anything else, Mr. Chairman. It's a philosophy. I don't look on the chairman of a police commission as having full power or full sway. There is a local politician there and a citizen representative whom the province names.

I would think the politician from the local council—or someone the local council names; it doesn't have to be a politician—and the citizen representative whom the province

names should be able to bring the other attributes you are looking for, such as innovations and contact with the public.

**Mr. Chairman:** It says representatives of ethnic communities, representative of community interests, various segments of the community, particularly in the lower income strata, are not represented on those commissions. That is what that particular article is all about.

**Hon. Mr. MacBeth:** How are you going to do that unless you have a commission the size of a council itself? This is where I think the judiciary can bring to that representation a sense of justice which I hope all our judiciary have. I believe 99 per cent of them have, anyway. They'd bring that fairness of mind to the situation regardless of ethnic background, whatever it may be; they will see that fair play is done.

You have a limited number that you can appoint there and those you do appoint must have the full community's interest at heart and not just one segment of it. However, we could go on with that for a long time.

**Mr. Singer** raised other things about complaint procedures. I've already mentioned that. He was asking why the Ontario Police Commission was not a branch of the ministry. I suppose, again, that was set up to remove it one bit from the political arm. I'm not just sure of what the history of the police commission was but I think, in part, it was to remove it from politics to a certain degree. That's the argument that I've been making.

**Mr. Chairman:** So that renders your job practically nugatory. You don't seem to have any dispositive powers over them at all. You sit there as a minister in charge of policing, at least at the provincial level, and we've always been less than impressed by the liaison between yourself and the Ontario Police Commission on the one side and, certainly a fortiori, the local police commission. If anything goes wrong there you say, "They're an independent entity. I'm preserved from them. I can't do much about it." What a glorious job you have.

**Hon. Mr. MacBeth:** It is a pretty good job, Mr. Chairman. I won't argue with anybody when it comes to that.

**Mr. Singer:** That's harking back to Bill 99.

**Hon. Mr. MacBeth:** I don't think I've been saying that in the House. Certainly I will argue municipal autonomy from time to time, and that's a local decision, but I don't

think I have argued the point that it's not my responsibility. I don't think I've taken that attitude toward either the OPP or the municipal forces, because I certainly do have to answer for them, and generally I find it reasonably easy, but occasionally there are times when I have difficulty in answering for them. I don't think I've said that it's not my job to answer for them, sir.

**Mr. Chairman:** It could go on.

**Hon. Mr. MacBeth:** Mr. Singer, when you ask if the appointed commission has any greater integrity—whether that might be my philosophy—than those who appoint it, that's not the position at all. As I said earlier, I think those who are appointed should have just as great integrity, but I have the greatest confidence in the politicians of this province, whether at the municipal, federal or provincial level. It's purely that I think they are subject to pressures of political office, and having neutrals on there, such as private citizens or judges, who don't come under that kind of pressure—

**Mr. Singer:** Then you should give all the politicians security of tenure.

**Hon. Mr. MacBeth:** I don't think I favour that, nor do I think you favour it, but there are propositions, as you know, that are made to politicians from time to time and, again, I think most politicians are able to deal with them. But the pressures that are on police commissions particularly, and solely politically appointed police commissions, would be pretty great. I think our system has worked out pretty well. However, I've listened to what you've said and I know that there are many who agree with you.

The guidelines for police chases—we've already done that. On the size of forces, I would agree that the larger we can make them—well, not without reason, because I think the small forces of a certain size have advantages over very large forces, but I agree that we should be trying to get rid of the forces with fewer than 10 people in them.

**Mr. Singer:** Couldn't you make it a goal of yours to do away with those forces with less than 10 people by the time you next bring your estimates here? I'm sure that shouldn't be too tough.

**Hon. Mr. MacBeth:** I'll see what we can do with it. Mr. Russell points out that it's mainly a financial problem.

Regarding psychological training, I'm sure we'll get into that when we're dealing with Aylmer and what goes on there.

[4:45]

I've already commented on gun control, wiretapping, bail reform; and as to your concern about police officers who have given up on law and take it into their own hands—well, I express that concern too. I don't think there are many, Mr. Breagh, who really take that position. Sure, we all get frustrated from time to time, but I think there are very few police officers who don't respect the due process of law.

Let me just make a comment about Sauble Beach. We were talking about the amount of force that was required to be used by a police officer on certain occasions—deciding just how much force. It's possible on that Sauble Beach occasion there was a little overreaction; I don't say very much overreaction.

A large number of people had entered the park, more than the park could accommodate. Many of them had gone in there without paying the price of admission, or the rental for space for the night's camping. Some of those people who had gone in subsequently to that were ready to pay. But since no space could be allocated to them, the park managers had said, "Go on in anyway."

Evidently many of them had come in with beer; there was an excessive amount of beer around. Some people had wanted to eat in a nearby restaurant and the management was concerned about letting them in and, I think, denied them entry. Some of the people had painted a line on the road in front of this place ready to have—

**Mr. Russell:** Drag races.

**Hon. Mr. MacBeth:** —drag races of one sort or another. The police, of course, were greatly outnumbered by the number of citizens in the park and they were concerned with what might happen and the potentially dangerous situation. They moved in—and I think they had reason to move in—to stop what could have been a bad situation.

When they moved in they were trying to clean up the area. With about 50 police trying to look after 250 people or more, they didn't have time to stop and tell each person what it was all about or what the reasons were. There were some citizens who were properly there and who were offended by the way the police, without giving any kind of

explanation, used some force to move them on. Fortunately, there were very few people hurt in that situation. My summation was that there was perhaps a slight degree of overreaction to the problem involved.

On the other hand, no great harm was done and the situation was cleaned up. We can't permit the rowdiness in the parks that has been going on in recent years to continue, because there aren't enough police to police all these parks as we might like. They took a strong hand and no great damage resulted, other than a few offended people.

Now, on the other hand, if they hadn't moved in when they did, I think we could have had very serious injuries there. It's easy in hindsight to criticize them, but they did control a tense situation which might have resulted in personal injury and property damage. So I don't want to be overly critical of them. But it's the kind of problem that has been met in various public parks throughout the last few summer seasons, and certainly we hope to avoid it happening again this year.

**Mr. Singer:** May I interrupt you at that point, Mr. Minister? I think the greatest public safeguard over what you describe here—and you obviously have a much more detailed report than I got from the newspapers—as a slightly excessive use of force, is publicity and reports to the responsible minister, and so on. I think it should be clearly laid down that—and I don't know what the guideline is going to be—where more than five policemen have to appear on the scene in order to keep order, a full and detailed report must be sent within 24 hours to the Solicitor General; something along that line.

The feeling that there has to be public attention paid and that there is ministerial supervision would I think go a long way to making sure that police action is kept within proper limits. Obviously there are situations where they have to move in. This was my idea about police chases too, that there should be investigations after them and reports come in. I think publicity is a great weapon to avoid excess.

**Hon. Mr. MacBeth:** I know one day in the House when you were asking about a police chase, you were suggesting I should automatically get up and make a statement at the start of the day when anything of that nature arises. It's such a big province and we have some kind of police incident taking place almost every day that, until some public attention is drawn to it, it is hard to know



which ones I should comment on and which ones I shouldn't comment on. I often have reports that are not called upon and maybe I should get up.

There is too the other business of the House and it's difficult for me to know on some report I had whether it is worth the House's time in getting up and making a statement. I think you would soon get tired of me if I came in every day with a statement on the latest police incident that might be regarded as a cause célèbre at some later date. However, I'll try to do better.

**Mr. Breaugh:** Can I just interrupt here on this one point?

**Mr. Chairman:** Just before you do, I want to ask some indulgence of the committee. It's up to the committee but I have reasons why I have to leave here by 5:30. Would anyone object strenuously if we discontinue the hearings at 5:30 today? I might have to leave a little earlier.

**Ms. Sandeman:** When are we sitting again?

**Mr. Chairman:** Tomorrow's regimen I anticipate as follows: There will be a debate in the Legislature with respect to the Ombudsman, as far as I know. We'll come back into session after that debate ceases with whatever emerges from that amorphous situation. We would meet tomorrow afternoon then and, if it's satisfactory to the committee, tomorrow evening. We would not meet on Friday.

If the Ombudsman's estimates are coming back, then Monday would be the day on which they would come back. I don't know how long that might take. Then we will return to the Solicitor General and try to finish it up next week.

I'll say one other word. The Attorney General, whose estimates were mooted to come on too, will not come on under any circumstances. There is a meeting of the Attorneys General across Canada beginning on Wednesday of next week, I am told, and he wouldn't be able to be here.

**Mr. Singer:** Will Mr. Paisley be at that meeting?

**Mr. Chairman:** I think Paisley is coming to see him with a green and orange flag. It's just possible if there is an opening there we would carry forward with the Justice secretariat aspect of it and try to finish that up if possible before adjournment. Now that's the layout as I see it at the moment, Mr. Breaugh.

**Mr. Breaugh:** I wanted to pursue this. I'm not really satisfied with the answers the minister gave to that question. It's a matter that I intended to raise a little later and might just as well do now. There have been a number of statements. There was the thing that happened at Sauble Beach. It seems that once or twice a year there is some problem somewhere in a resort area. On a couple of occasions he's going to crack down on rowdiness in provincial parks and things like that.

The problem I'm having is that you seem to be quite content, or the OPP or whoever is the investigating agency seems content, to let a problem happen that I think with some reason they could anticipate happening. They let 4,000 to 5,000 people into a particular resort area over a weekend. They know they will be there. They know there will be that increase in population and they know there may be some problems. They do not increase the policing of the site substantially until such time as complaints are received.

It strikes me you don't do the same thing when a large crowd gathers at Maple Leaf Gardens or down at the CNE stadium. You know there will be people in attendance above what's normally in that area. You anticipate that you will need extra police protection and you provide it. Are you contemplating doing the same kind of things in resort areas?

In other words, you can identify where these people will go. You can have a reasonable concept of how many people will be there and what kind of activities will go on. Would you not consider providing additional police protection before you start marching in and heaving bodies out?

For all intents and purposes, as you said, that's what happened at Sauble Beach: A large crowd gathered and then the police attempted to clear the area. In the process of doing that, there were a number of people who took the time to call us and say, "We went there for a camping weekend, and the end result of that was some cop hit me on the head." They didn't want to press charges or anything like that, but it poses a problem for those people who might want to go some place on a weekend. I think they have a right to expect some protection. Do they have to wait until an incident occurs before the police arrive? And then is the police protection simply to clear the area? In that case, innocent people are at least going to be inconvenienced, if not hurt.

**Mr. Russell:** We can probably get back to this when we consider the OPP vote, but certainly the detachments at Sauble Beach, Fort Erie and so on are beefed up during the summer months and on long weekends like May 24, July 1 and so on. However, when an incident occurs, if there are 1,000 people involved, that one unit could call on other units within a 15- or 20-mile radius. Personally, though, you could say that we'll put 100 people in the Sauble Beach detachment. They can get them there if they need them; they can get them there within 20 minutes to a half an hour from the adjoining detachments. But the units are beefed up, as they are at the Crystal Beach detachment, the one up in Lake Simcoe and so on.

**Hon. Mr. MacBeth:** When people are on a holiday and camping, I don't think they want to see a lot of policemen around. They're out there to have a good time. More particularly, they're out with a carefree attitude and they don't want to see a lot of police in our parks; so there's a reluctance, I think, to call them in. Also, the parks are situated in places where they are away from built-up areas, with the result that the detachments that are available are generally small detachments. As Mr. Russell has said, they do try to beef them up to a certain extent during the summer-time, but they're still based on the theory that most people are law-abiding.

When you get a crowd that for some reason suddenly becomes other than law-abiding—or a good number in that crowd do, as happened at Sauble Beach—the police themselves are in difficulty. I think that's what happened here. Realizing that that kind of situation was building up, they took early action to keep it from bringing about the result that they could see was forthcoming. How much sooner they should have acted, I don't know. Maybe there could be some criticism of the management of the park in that when they saw so many people coming in and not paying for spaces, perhaps they should have called upon the police earlier too.

Again, it's one of those judgement calls where it is difficult to know at what time to make your move and then just how much force is necessary to control the situation. It's a lack of money—when I say a lack of money, I mean a lack of a reasonable expenditure of money—and having the police available at the places when they're needed.

**Mr. Breaugh:** Are you saying then that, aside from what you've been doing in the

past, you have no intention of changing your operations or how you deploy the officers? You see, I'm really concerned that we're seeing things in Ontario we've never seen before. We've never had weekends in resort areas where a group of people from another vicinity came in and took over the joint, with the cops going in on Saturday night to clean it out. I don't like that approach to it at all.

**Hon. Mr. MacBeth:** There was an instance last year, I believe, where a bicycle group decided to descend on a particular park; in cases like that, the police won't know where they're going until they stop. I suppose they can have reports that a certain gang of bicycle riders is heading along a certain highway but, again, I don't think we would appreciate them being trailed by the police on the assumption that they were going to cause trouble. Really, whether they're bicycle riders, walkers or what have you, I think we've got to work on the assumption that they're going to be law-abiding and not cause trouble. The surveillance has to be done in a very quiet, unobtrusive way. To have police following them simply because you suspect something might happen is—

**Mr. Breaugh:** How about from the very simple point of view that any provincial park—name an area—which normally has virtually no one there, on certain weekends over the summer will have perhaps 4,000 or 5,000 people there? Would it not make more sense simply to deploy an officer there rather than wait until some incident gets reported and then send them all in to clean the joint out? I really don't appreciate that approach.

[5:00]

**Mr. Russell:** I think there is, Mr. Breaugh—actually, the deputy commissioner in the field division of the OPP will be here within a few days for our estimates. I think they deploy their forces as well as they can with what they have. I am sure he can answer that question. I don't think they leave an area bare but where is it going to hit? Where is it going to strike?

**Mr. Breaugh:** Maybe we should leave it until he comes here.

**Mr. McCague:** Mr. Chairman, I do know that in Earl Rowe Park, which is a provincial one with about 800 camp sites, they have gone there every weekend, which I

think starts Thursday night, until Sunday night.

**Mr. Breagh:** It would be the private sites, I would imagine, that would give the most difficulty.

**Mr. McCague:** It may well be.

**Hon. Mr. MacBeth:** Of course, those are the days when the traffic is heavy on the highways and they want to beef up their patrols there. We also have this year the added problem of the Olympic games to keep an eye on, which is going to put added strain on the force.

There are a few more matters that Mr. Singer raised, Mr. Chairman. Organized crime and the matter of computers: I think we can leave those until the police commission arrives.

Why not the Ward Smith Building? I can't tell you why. It's a good suggestion and would have made a suitable designation for that building. Mind you, there is more than forensic sciences there. The police commission is there; my own office is in there and a lot of the top floors is used for the computer. It would have been a fitting tribute to the work of Mr. Smith.

That leaves the one question of awards made under the Police Act being subject to the Anti-Inflation Board. I guess really we are waiting for the decision by the Supreme Court of Canada on at the present time. I know there are many who feel that once an arbitration award has been made—whether it has to deal with school teachers, hospital workers, police or firemen—that should be the provincial position on it and we should go to Ottawa to the Anti-Inflation Board to support that award because it is, in a sense, our award. It's an award which has come about by our legislation.

My answer—I suspect it won't be acceptable to Mr. Singer—is along the line that there are two sets of situations to consider. First of all, under reasonable circumstances, what might be a just award for that particular group, whether it's police or hospital workers? The arbitration commission sets its mind to solving that problem. All right; they look at what other hospital workers are getting and all the factors they take into consideration and with that in mind they come up with X dollars.

However, there is now this secondary body which has to look at the effect on the nation of this very serious problem of inflation. The guidelines there may be entirely different

and certainly wider than the guidelines the arbitrator had to take into consideration. Having passed the one test of the arbitrator, because of the situation we are in with inflation it goes to the Anti-Inflation Board and it applies its set of rules, having regard to the wider problem of inflation and how this award may affect the whole country.

That's the best answer I can give to you on it. In other words, there are two problems; one the arbitrator decides and the other, the Anti-Inflation Board has to consider.

**Mr. Singer:** Perhaps there is no point our continuing to disagree with it. We will wait until we see what the Supreme Court of Canada says and perhaps renew the argument at that time.

**Hon. Mr. MacBeth:** The Supreme Court of Canada may decide that the second situation is not as serious as I think it is and that the second test should not have to be applied at all; that No. 1 test should be it.

**Mr. Chairman,** that completes my replies. If there is anything specific I have neglected on which they want my words of wisdom, I will be glad to supply them.

**Mr. Chairman:** I have two names in front of me—Douglas Kennedy and Gill Sandeman.

**Ms. Sandeman:** I think my remarks come under the main office votes, if we are ever going to get on to those.

**Mr. Chairman:** Yes, we will come to it in a few moments. What we are doing is cleaning out a lot of debris before we hit the structure.

**Hon. Mr. MacBeth:** I would hope that I could be quieter and let the officials carry it tomorrow and in the future.

**Mr. Chairman:** You don't want to go on, Mr. Kennedy?

**Mr. Kennedy:** No.

**Mr. Chairman:** Very well, vote 1501, main office.

On vote 1501:

**Mr. Russell:** Mr. Chairman, we prepared some information and some material we would like to distribute to the members. We have the first two votes and we will probably have the rest by tomorrow.

**Ms. Sandeman:** Yes, we would like to have that.



Mr. Chairman: By all means.

Ms. Sandeman: May I speak to the first vote?

Hon. Mr. MacBeth: This is in reply to one of your requests from former years, Mr. Chairman, I think.

Mr. Chairman: That's good, yes. We need that sort of thing. While that is being distributed, Ms. Sandeman could start.

Ms. Sandeman: I just have one very small point on the main office vote and maybe the material you are circulating would explain it to me. I see you have cut down the total considerably on the main office vote this year, but there is a very large discrepancy between employee benefits last year, which are the normal approximately 10 per cent of the salaries, and employee benefits this year which are very much lower than that. Have you decided to perform restraint by cutting your employees' benefits?

Hon. Mr. MacBeth: I think they probably show up some place else. Mr. Gow, have you got a more specific answer on that?

Ms. Sandeman: Your salaries are \$3,000 down, but our benefits are \$18,000 down.

Mr. Gow: The benefits have to do with the legal salaries. We have our legal people on contract from the Attorney General. Their benefits were included in their salaries, therefore it showed a reduction of \$17,300 in our estimates.

Ms. Sandeman: Where do their salaries show? Under the salary column?

Mr. Gow: Yes, under salaries.

Ms. Sandeman: I have got some comments on the next vote too.

Mr. Breaugh: On the main office, I always like to ask in this kind of a thing, since this is supposedly where all the policies are initiated and a firm grasp is held of all the problems and issues that are in front of the province, could the minister or someone identify for us what you might consider—and even go so far as ranking them—the main problems with crime in Ontario? What are they and what are you going to do about them?

Hon. Mr. MacBeth: The main problems with crime?

Mr. Breaugh: What crimes are really bad in Ontario and what are you going to do about it?

Hon. Mr. MacBeth: That's a big order.

Mr. Breaugh: It is a lot of money and it says right here you undertake development of policy initiatives and alternatives and the necessary legislative requirements to implement policies.

Hon. Mr. MacBeth: Most of the questions that have been asked today are somewhere along the line of matters of policy, matters regarding the composition of police commissions, for instance. We have had a good number of studies on that. I won't say we have spent a lot of time on this matter of police chases, because for the most part it has been putting together and sifting existing rules. I am thinking of some of the matters that we recently had before the justice policy field. We develop papers on them in the ministry. They are carried from there, if recommended by the policy field, to the cabinet. I'm just trying to think of a few of them.

Mr. Russell: Working on the recommendations of the task force on policing has taken a lot of time of head office and the secretariat. The board of commissioners of police—I think we have worried that one to death. The costs of policing and the takeover of small forces, is a big area. We worked on bilingualism, but it's kind of dropping back in the picture a little now. The complaint procedure and the implementation of the Maloney report, there would tie into the Marin and Morand reports. We are working heavily on the administration problems we're going to face with gun control. Indian policing is an ongoing thing, although we've made great strides in the past year. The situation with security guards has come up a couple of times, and we have a definite deadline on this one. All our preparatory work is now done and we will be presenting it to our policy field. We have set a definite deadline of no later than the end of July, and we'll have a presentation to policy board with an Act.

Mr. Singer: With a statute?

Mr. Russell: With a statute. That will, I'm quite sure, be coming in this fall. That took quite a while. The 911 police emergency dialling hasn't really got off the ground. The idea of that is that you could dial 911 anywhere in the province, and it would automatically check you in.

**Mr. Breaugh:** That's going nowhere?

**Mr. Russell:** London and Waterloo have it; a few places have it. But, again, it's a financial problem and we just haven't got the municipalities to go along with it too much as yet.

**Mr. Singer:** There was an emergency number in Toronto, wasn't there?

**Mr. Russell:** Yes, but it wasn't 911. I just forget, but there was one.

**Mr. Singer:** I remember Fred Gardiner was responsible for that.

**Hon. Mr. MacBeth:** Just a city number, Empire 1-1111—isn't it?

**Mr. Russell:** I thought they had the three-digit one. However, we're still trying on the 911.

Arbitration problems, working conditions, two-man cruisers, waterways policing, and son on, are other problems. These are the types of things that the head office has been working at with our operating branches.

**Ms. Sandeman:** Yes, I think what you have just said in answer to Mr. Breaugh's question speaks to a lot of the unease I've been feeling during this debate. Mr. Breaugh asked you what you took to be the major problems of crime in Ontario at this point, to list them in priority and say what you were doing about them. And your answer was all organizational priorities within the ministry.

I've been waiting patiently during the minister's leadoff—and the critics' leadoff, to some extent—to hear what this ministry takes to be its function in the wider function of social control, because that's your business. You're in the business of social control—the whole Justice secretariat is in that business.

When you answer in organizational terms, you're not really addressing yourself to what you take to be the real problems of social control in this province. I would like to know what kind of deviancy you take to be a problem? How you are addressing yourself to coping with deviants? How are you deciding which kind of deviant behaviour can be safely ignored—and much of it can—and which kind must be responded to, with the concomitant danger that very often in responding to deviancy you amplify it; you produce more criminal behaviour?

I think this is part of the ongoing discussion we've had about police chases. The fear at the back of everybody's mind, I think, is that you start with a situation in which there's

a kernel of criminal behaviour and you end up with a situation in which the deviant behaviour is amplified out of all proportion to what you started with.

What I'd like the minister to do is to answer the question that Mr. Breaugh just asked about the ministry's priorities in terms of social control. Mr. Breaugh called it crime; I call it problems of social control—it's the same thing.

**Hon. Mr. MacBeth:** I think, in fairness, when you're asking about social control—and that's a phrase that you have introduced, I'm not finding fault with it, but it's not one that I have been using. You asked me what our chief function is as the Ministry of the Solicitor General and I'd say it's simply the peace and safety of the public generally.

Now, certainly when you ask about problems with deviants, I don't think that would be that high on our police list of priorities. That type of problem is the kind of problem that the Justice secretariat looks at and studies. That is in the broader field, such as what do we do with the alcoholic.

[5:15]

**Ms. Sandeman:** That's deviant behaviour—alcoholics?

**Hon. Mr. MacBeth:** All right then, I suppose in that wider sense we are all deviates of some sort or another.

**Ms. Sandeman:** Exactly, how much can we tolerate and how are you handling what we as a society can't tolerate? That's what I want to hear.

**Hon. Mr. MacBeth:** I think the courts are the guide in that regard, when you come to police action and what is permitted under the Criminal Code; what do the courts regard as permissible and what the courts don't. I'm saying that as Solicitor General. If you wanted to get to wider philosophical basis you would go to the justice policy field, where we do have some very interesting philosophical discussions on what we should or shouldn't be doing or what we might be doing.

Just as an example of that, last Thursday we had a very interesting film on the desensitizing of America, which had to do with this matter of crime and violence, by the J. Walter Thompson people and it's one that I would commend to you. Your own caucus might like to see it. That, as I say, is in the justice policy field as opposed to the—

**Mr. Chairman:** J. Walter Thompson makes his contribution, I think.



**Hon. Mr. MacBeth:** It is amazing what they are ready now to do in connection with that; the steps that they are ready to take as promoters of advertising, and what they're ready to recommend in the way of programmes. You'd find it an interesting production. However, I just gave that as an example of the kind of thing we look at. I don't regard policing and fire work and coroners to be getting into that kind of philosophical discussion. A policeman looks at whether an offence has been committed and then what should he do under those circumstances.

**Ms. Sandeman:** Yes, exactly he decides whether or not an act has been committed that society won't tolerate, and for which in many cases it has sanctions. Mr. Breaugh's question still hasn't been answered. What are the major areas of criminal acts that at the moment you feel your department, under the police part of it, should be addressing itself to?

**Hon. Mr. MacBeth:** I suppose if you want to say the major criminal offence, I suppose it is still murder. I'm just not sure what your—

**Ms. Sandeman:** I think Mr. Breaugh meant where are your priorities? You try it, Mike, I can't get it across.

**Mr. Breaugh:** What bad things are happening in Ontario that bother you the most, and what are you going to do? Example: Are you more worried that there are people being murdered in Toronto than you are about white-collar crime? If you are worried about more murders in the streets, are you going to put more police officers out there, or train them in different ways, or dope them up or what? What crimes in Ontario—and you can write them if you like—do you think are in serious proportions and what steps are you now prepared to take which will stop those things from happening?

**Hon. Mr. MacBeth:** I think it's what we were talking about earlier. To my mind it's a matter of peace and security. The number of people that are murdered is relatively small, but I'm concerned about the people that may go into our provincial parks, for example, and not be able to go there feeling that they are in a safe place. You ask me what is my chief concern; I would say simply that the peace of the average citizen, protection of the average citizen. The major crime is probably murder, but I don't think that's our main concern. It is simply a day-

to-day operation that our streets are safe to walk and our parks are safe to be in. That's what I would say are my chief concerns as Solicitor General.

**Mr. Breaugh:** I'm still waiting for you to respond to the other part of that question. Obviously, if you let me paraphrase what you said, that it's kind of the crime in the streets thing, or peace and security or peace in the forest, wherever you are, it's a safe place; now what are you going to do about it? If you are concerned that that's a major problem in Ontario, what steps do you plan to take to correct that situation?

**Hon. Mr. MacBeth:** You keep trying to lead me back into the philosophical aspect of what the justice police field might want to do—

**Mr. Breaugh:** Excuse me, I don't think that's philosophical at all.

**Hon. Mr. MacBeth:** Just by better policing then, by trying to do some of the things we've been talking about earlier; have better trained policemen, have them where they are needed at the time they are needed; better communication, so that they can perhaps then anticipate where problems might arise. It's a matter of peace, order and good government; that's, as I see it, the work of the police.

**Mr. Kennedy:** Could I just add that the 1975 annual report shows the largest increases were for homicide, 31 per cent; robbery, 23 per cent; fraud, 22 per cent; mail violations, 37 per cent. Surely each year it is not going up. Did you have a good year catching crooks in 1975 or is this the escalation that has taken place over the years? It doesn't increase surely by that dramatic figure yearly. This would be tripled in three years. Are we getting more of the criminal element? That's an incredible increase.

**Hon. Mr. MacBeth:** I suppose again it depends on your philosophy. If you figure that government's job is to be the keeper of the morality of the people, there are certainly going to be problems. In that sense then we are concerned with public attitudes and it is a matter of the justice policy field trying to deal with the whole educational picture of the province and trying to upgrade the citizens. As far as the Solicitor General is concerned, I come back to the point that our job is the peace of the average citizen on the street so that he can conduct himself and go about his business and not have to be worried that the criminal element is going



to overtake him. In that sense we are pretty successful. This is a very law-abiding and good jurisdiction and recognized as such throughout the world.

**Mr. Kennedy:** Maybe you can't and maybe it isn't discernible that there are softer and easier bail rules and a softer society generally. We let these people out and they are back at it. A number of these are repeaters who turn up again, but I suppose there are other factors.

**Hon. Mr. MacBeth:** I don't know whether we can account for the rise over last year particularly. Have you got any comments to make in connection with it, Mr. Russell?

**Mr. Russell:** It is not necessarily 1975 over 1974.

**Hon. Mr. MacBeth:** Some of it has to do, I am sure, with more policing.

**Mr. Kennedy:** Does that include everybody who is charged.

**Mr. Russell:** That's only OPP.

**Mr. Kennedy:** That's only OPP, so you add local and municipal?

**Mr. Russell:** Local and municipal should show in the OPC report.

**Mr. Kennedy:** You add the same crimes committed locally to this to get your total?

**Mr. Russell:** I think probably the most important thing we face, as the minister mentioned, is actually the training of police officers to get better people out to answer the problems on the streets and so on. The major thing we are doing is training, getting back to our original discussion.

**Mr. Breaugh:** Without getting too specific about it all, could I ask the minister is he prepared to do anything about what a lot of people would see as a major increase in the crime rate in urban centres? To be very blunt about it, there has been a dramatic increase in crime in Toronto. Are you prepared to do anything about that? I appreciate your answer because that's a portion of the answer. If you are talking about a major increase in crime in Metropolitan Toronto—and I don't hear any arguments from anybody that that is not the case—what is the ministry doing to combat that?

**Hon. Mr. MacBeth:** Encouraging better policing by such methods as training and better communication. I think you want to

get at me to come to some social angle to this thing.

**Mr. Breaugh:** No, I was thinking of something as non-social as putting more money into it, hiring more policemen and training more.

**Hon. Mr. MacBeth:** I am not prepared at this point to say that the province is going to put more money into it. I am not so sure that is the answer to it.

**Mr. Breaugh:** Neither am I.

**Hon. Mr. MacBeth:** As I say, you can have more policemen and it may give you more detected crime but it doesn't necessarily mean you have a better society. I think the sort of problem you are asking me as Solicitor General is really a much broader social problem that we are looking at—how can you improve society? If we had the kind of society we wanted, we probably wouldn't need any policing at all.

I'm not suggesting that the answer to the problem you're raising on how to get less crime in Toronto is to supply more police. I think the way to get less crime in Metropolitan Toronto is to improve the social milieu in some way so you don't have people either wanting to commit crime or having any kind of necessity to commit crime. That's reflected in the general tenor of our times.

I was discussing earlier this matter of violence and that's the broader picture the secretariat and the whole government have to deal with. It's a matter of education; it's a matter of social welfare and things of that nature. From a police point of view, I certainly would want to have adequate police but most crimes are committed—no matter how many policemen you have—where policemen aren't present. I'm not going to suggest that simply having a policeman on every corner is going to cut down crime. I think we've got a pretty efficient police force across the province now. Certainly, we're trying to increase that efficiency but I don't see the police as a first means of correcting society generally.

**Mr. Breaugh:** Okay, to put it a little more bluntly—I don't hear you saying that you have identified any specific problem in Ontario which you think is worthy of increased allotments or funds or change in direction or new programmes. I don't see any campaign against organized crime or against blue-collar crime or white-collar crime or anything like that. You haven't identified anything in that area and you're not proposing anything as

opposed, for example, to the Attorney General who seems to love to identify items and do something next day and nail it down. You seem to be quite satisfied with the way things are and working on a very gradual programme.

**Hon. Mr. MacBeth:** I think most progress is made by little steps rather than suggested leaps which sometimes don't take place. The way we're trying to improve our policing service is in all fields and at all times. In other words, we are not suddenly going to decide we're going to get after some particular section of crime. I don't think we can say: "This year we're going after break and entries and next year we're going after people who molest people on the streets." It's got to be a general advance in all fields of police work.

I haven't singled out anything other than, as I say, the general security of the people whether it's protecting them from robbery or rape or any other kind of assault. If you want a particular field in which we recognize we need more funds and more time it is the field of training as Mr. Russell has said.

I don't know how I can be more specific than that. I could say: "I've singled out that my aim is to eliminate murder;" sure, that's one of my aims but I don't think I'm about to accomplish it.

**Mr. Breaugh:** You've been quite consistent, though, in saying things like you're not pre-

pared to alter the way police officers are required to get their training, or to propose some regulation that says they—

**Hon. Mr. MacBeth:** I don't think I've said that at all.

**Mr. Breaugh:** —have to go to Aylmer first before they assume their duties.

**Hon. Mr. MacBeth:** I have said we have some actual financial limitations which we are realistic enough to realize but certainly we're going to try to improve training and we're doing that all the time. Our training this year, I'm sure, is better than it was two or three years ago; and I hope that next year it will be better than it was this year.

In my opening remarks I talked of the improvements at Aylmer and the new facilities which have been opened up for the kind of courses being offered. I hope and I'm sure it will bring about better policing. I'm sure it will. That we have more crime this year is simply a reflection of society generally rather than a deterioration in the police situation.

**Mr. Acting Chairman:** It now being 5:30, I'll adjourn the meeting until the call by the chairman.

The committee adjourned at 5:30 p.m.

#### ERRATUM

No.	Page	Col.	Line	Should read:
S-42	S-1271	1	24	out of the \$1,640,000 budget the salary

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Breagh, M. (Oshawa NDP)  
 Kennedy, R. D. (Mississauga South PC)  
 Lawlor, P. D.; Chairman (Lakeshore NDP)  
 MacBeth, Hon. J. P.; Provincial Secretary for Justice and Solicitor General (Humber PC)  
 McCague, G. (Dufferin-Simcoe PC)  
 Moffatt, D. Durham East, NDP)  
 Sandeman, G. (Peterborough NDP)  
 Shore, M. (London North L)  
 Singer, V. M. (Wilson Heights L)  
 Villeneuve, O. F.; Acting Chairman (Stormont-Dundas-Glengarry PC)

**Ministry of the Solicitor General officials taking part:**  
 Bell, E. D., Chairman, Ontario Police Commission  
 Gow, P. F. L., Executive Director, Administration  
 Russell, A. A., Deputy Minister









Government  
Publications

# Legislature of Ontario Debates

**SUPPLY COMMITTEE—1**  
**ESTIMATES, MINISTRY OF**  
**TRANSPORTATION AND**  
**COMMUNICATIONS**

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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**Thursday, June 10, 1976**

Afternoon Session

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**Speaker: Honourable Russell Daniel Rowe**

**Clerk: Roderick Lewis, QC**

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# LEGISLATURE OF ONTARIO

## SUPPLY COMMITTEE

THURSDAY, JUNE 10, 1976

The committee met at 3:45 p.m. in committee room No. 1.

### ESTIMATES, MINISTRY OF TRANSPORTATION AND COMMUNICATIONS (continued)

On vote 2402:

**Mr. Chairman:** We have a motion by Mr. Ziembra that the estimates of the Ministry of Transportation and Communications, vote 2402, items 1, 2 and 3, be reduced by the amount of the salaries and wages of administration, neighbourhood offices, planning, concept, development, impact studies, and propaganda allocated to the proposed arterial street, Highway 400 to St. Clair Ave.

Is there any further discussion on this motion?

**Mr. Philip:** Mr. Chairman, we would be willing to withdraw that motion if it would facilitate our getting the information and we'll reintroduce a more appropriate motion.

**Mr. Johnson:** The motion has been withdrawn.

**Mr. Williams:** Wait a minute, is that conditional on some other motion coming forward?

**Mr. Wildman:** Mr. Chairman, yesterday the ministry indicated it would get the information as to the total amount of dollars; an indication of where that comes from. What we're suggesting is that we will withdraw that motion if we get that information and we will introduce another motion.

**Mr. Givens:** May I ask at what time this motion may be reintroduced? This is a serious matter and in view of all the things going on, with members being required in various places, I would certainly like to know if the representatives of the NDP would mind telling us when they have this in mind.

**Mr. Wildman:** Immediately after we get the information.

**Mr. Philip:** We will introduce it the moment we get the information.

**Mr. Williams:** Will we get the information?

**Mr. Givens:** Can anybody help us in determining when this might be? Today, tomorrow, tonight?

**Hon. Mr. Snow:** Mr. Chairman, I stated yesterday that I would get the committee information as to the amount of money for the items listed under this vote. I have that information now.

**Mr. Evans:** Then the other motion was out of order in the first place, because it had no amount of money.

**Mr. Philip:** Yes, we would concede that.

**Mr. Evans:** You don't have to withdraw the motion; it was just out of order.

**Mr. Philip:** The chairman has not designated it as out of order but we've withdrawn it in any case.

**Mr. Williams:** I would move it was out of order, Mr. Chairman.

**Hon. Mr. Snow:** It's been withdrawn, I guess, Mr. Chairman.

**Mr. Chairman:** Is it agreed to have it withdrawn?

**Hon. Mr. Snow:** Mr. Chairman, yesterday I agreed to supply the committee with the closest estimate possible as to the amount of money which would be expended out of vote 2402, item 2, planning, relating to the 400 extension.

The total estimated expenditure from this vote is \$84,000. I would point out — and I don't know how we handle this — that there has been \$26,200 expended to date. The balance which would be expended over the balance of the fiscal year is \$57,800.

**Mr. Philip:** It's \$57,800?

**Hon. Mr. Snow:** Yes, I would suppose that the money which has been expended to date has been done so under the authority of the

interim supply vote. The consideration before the committee now is the balance which would be expended out of this vote for this purpose, \$57,800.

**Mr. Philip:** Would the minister be kind enough to tell us what the \$57,800 will be spent for?

**Hon. Mr. Snow:** It's broken down into six categories; Project management \$14,700; engineering \$33,100; environmental land use studies \$14,600; traffic analysis and forecasting \$6,800; social-human factors study \$10,200; miscellaneous expenses, which includes travel, hall rentals, printing brochures, printing records, mailing costs and so on, \$4,600. That comes, I believe, to the total figure of \$84,000.

**Mr. Philip:** That would be the total of \$84,000.

**Hon. Mr. Snow:** That would be the total of \$84,000. There has been some money expended on each of these items to date and this is totally money within the operations of the ministry. In other words, in-house staff salaries and work. It does not include anything for consultants.

**Mr. Philip:** If I may, Mr. Chairman, I intend to be extremely brief because I know that there are other matters that the committee wishes to deal with. Throughout these estimates, we in the NDP caucus have expressed our concern about the manner in which this government has wasted time on one study after another, on on-again off-again expressways and on pie-in-the-sky projects.

Our questions have mirrored our concern about a transportation system which seems to have little real co-ordination with the plans of TEIGA, housing and industry, a programme that has left northwest Metro without proper public transportation to and from the centre core, a programme that has clearly shown little sensitivity that we in the northwest want fast public transit now, transit which is planned to supply our needs for access to the city, without creating dormitory cities.

While some of the answers of this minister have shown that after years of wasting time he at least is prepared to move in some of the directions that we are concerned about, I'm afraid that our patience and the patience of the residents in northwest Metro for efficient transportation, is wearing thin.

**Mr. Chairman:** Mr. Philip moves that the \$57,800 presently allocated under vote 2402, item 2, for purposes related to the arterial

road commonly known as the extension of Highway 400 be reallocated to studies directly related toward implementation of public transit in northwest Metro.

**Mr. Wildman:** I second that.

**Mr. Chairman:** The next speaker is Mr. Williams, then Mr. Wildman.

**Mr. Wildman:** I seconded it, Mr. Chairman. I seconded the motion.

**Mr. Chairman:** It doesn't matter.

**Mr. Williams:** Mr. Chairman, this is indeed a revelation today to hear a new posture being taken by our socialist friends on the matter of transportation needs in the community and the relevance of same to sociological and other human needs.

Interjections.

**Mr. Chairman:** Order, please.

**Mr. Williams:** I never thought the day would come, Mr. Chairman, when I would hear the NDP rejecting the concept of sociological studies on the impact of any project that is undertaken, or that they would speak out against environmental studies and be opposed to social human resource investigations which constitute, as indicated from the figures that have been presented to us, the bulk of the \$57,800.

There is no question that the project will go forward in due course and at best this is a stalling tactic. I would suggest that by eliminating these preliminary studies and investigations the motion would have a detrimental effect on the people who could be directly affected by the highway if they are not given an opportunity to have public participation in the design features of this extension, or if they are not given the opportunity to comment on the environmental factors.

[4:00]

All of this is being denied by the very nature and content of this resolution. To this extend, I find this rather interesting that for once our NDP friends, who call themselves the protectors of the little man, are walking over the little man by denying him this right of opportunity of participation.

**Mr. Wildman:** You are in the wrong party.

**Mr. Williams:** Indeed it is most regrettable. I know, from having been involved at some length in discussions on other express-



ways within the city while I was involved as a member of the Metropolitan Toronto council that because of the studies that were undertaken and because of the great deal of opportunity that was afforded to the people—I am referring now to the Scarborough Expressway—for public involvement and participation that a better design from a people point of view did come out of that project. While it was a year in the making, there was no denial of public participation or involvement and, while it was a more costly undertaking as a result of the study, it certainly to a much larger degree took into consideration the human factor elements, the environmental considerations. Because of it, or as a consequence of those studies and hearing from the people in the communities at publicly sponsored meetings, a much larger section of the proposed Scarborough Expressway was to be below surface or tunneled so that a large segment of it that went through the most heavily populated areas was given much greater protection than had been originally proposed in the design criteria.

Undoubtedly, the same type of benefits would flow from this type of people participation. I think it's a delusion for the movers of the motion and the NDP in supporting that motion to suggest that they have stopped the 400 extension. What they are doing, as I say, is taking out of it the very important element of public participation because these are the very features that are of greatest concern to people. If there is a need for completing the expressway grid in the westend on a north-south axis basis, it is known that this is the general area in which it should go. I believe there may be one or two options in some of the areas of the proposed extension that would provide for an improved situation as far as it relates to the communities closest to the facility.

**Mr. Philip:** Are you saying that the firing squad is better than the garrotte?

**Mr. Williams:** Is this the silly hour, Mr. Chairman—

**Mr. Chairman:** Order, please.

**Mr. Williams:** —or are we prepared to have an exchange of ideas here? I think that it would be a motion that would work against the best interests of the people in the north-west sector. They should be given full opportunity to participate and be part of this decision-making process. It was made quite clear by the government at the time the ex-

tension was announced that it would be subject to this very important element being a feature. To expunge that now in one sweeping move while, as far as the movers of the motion are concerned, it seems like good political posturing, in effect I think will backfire and will have adverse rather than beneficial effects. I would encourage the other members of the committee to vote against the motion and retain the necessary funds to ensure that proper studies will be carried out and that all of these environmental, traffic, social and human factors and engineering features are all properly taken into consideration within their proper perspective. On that basis, certainly I would be opposed to the motion, as I presume my colleagues would be and I would hope that the members of the Liberal caucus would also be. I wish to go on record on that basis, of being opposed to the motion before us.

**Mr. Wildman:** Mr. Chairman, after listening to the member for Oriole, I really don't think he listened to the motion as it was put. He went to great lengths to make an argument for public participation and input, and certainly there is no disagreement with that. What really bothers me, though, is that he is saying that even though the people in the downtown area obviously expressed in the last election their disagreement with this expressway, they are going to get it anyway. So all we are doing in this motion is eliminating public participation. It is the clear intent of the motion to eliminate any studies of an expressway that the people don't want and to reallocate those moneys that might have been expended on those studies—

**Hon. Mr. Snow:** Mr. Chairman, I would like to point out that this is not an expressway.

**Mr. Wildman:** All right, an arterial road.

**Hon. Mr. Snow:** It is not referred to in any of the reports or the resolutions as an expressway.

**Mr. Duksza:** What a ridiculous thing to say.

**An hon. member:** A road by any other name—

**Mr. Wildman:** I will call it an arterial road then.

It is very important that we have public input and participation and study. It is very important that we have sociological and environmental studies of any project, and I certainly support that. But it is our position that what we should be studying is mass transit—

**Mr. Williams:** And taking it out.

**Mr. Wildman:** —and improved ways of moving people by other means than roads. We are in favour of people, not roads; we want the cities for people, not roads.

**Mr. Nixon:** That is a novel idea.

**Mr. Wildman:** It's hardly new, it's nothing new. Even the Liberals, I think, would agree with us, and many Conservatives might agree.

**Mr. Makarchuk:** Even Bill Davis said it.

**Mr. Wildman:** I am not going to go on at length, but I think it is a red herring to say that we are opposed to mass participation and public input into a study of a project. We are in favour, and we are asking that this money be reallocated to studies of mass transit and ways of moving people from the northwest into the downtown area more quickly and more easily without disrupting the neighbourhoods in the downtown area.

**Mr. Givens:** Mr. Chairman, our party is on record as opposing the extension of 400 south-erly, yet I cannot resist the concept of proceeding with this examination and this study because I think it's important. There have been a lot of very serious changes since 1971 when the Spadina Expressway was halted in its tracks on June 3. We all know that the world didn't stop and not everybody got off the merry-go-round. Motor vehicle registration has increased tremendously, the number of cars has increased, the traffic congestion has increased, and pollution has increased.

I think it is important to determine and find out what has happened in the northwest quadrant of Metropolitan Toronto. It is one thing to say the people of downtown Toronto don't want to have a traffic artery coming down into Toronto, it is a non sequitur to say that if the 400 is extended it is necessarily going to run into the downtown. Let me remind you that the borough of North York and the borough of Etobicoke today have more people in both boroughs than the population of the city of Toronto, and these people too may have rights.

Why should we be afraid of the facts? If we investigate the facts—and we've already spent \$25,000 on this study—and if we complete the study and if the facts point us to the direction that there shouldn't be an extension of 400, then there won't be an extension of 400. If, on the other hand, the facts indicate there is a compelling reason for proceeding with it, it may be that we in our party will have to undergo an agonizing reappraisal. Even the NDP may have to

undergo an agonizing reappraisal, because the fact of the matter is that we do have to have a balanced system of transportation. Mass transit can't handle it all, just as the motor vehicle can't handle it all. For those particular reasons, Mr. Chairman, I feel it would be definitely wrong to turn our backs like Luddites and say: "We don't have to be confused by the facts. We don't want to continue with this study. We say to hell with it. We don't want to know what the facts are in the northwest quadrant since we closed the door on the Spadina expressway. We are convinced we shouldn't go ahead with it and we're determined we're going to shut the door, and that's that."

**Mr. Duszta:** You have been talking to Godfrey.

**Mr. Givens:** For those reasons, Mr. Chairman, I'm asking my colleagues to follow me in opposing this particular amendment and vote against this amendment at this time.

**Mr. Lane:** Mr. Williams and Mr. Givens have said more or less what I was going to say on this subject. However, a good portion of this money already has been spent, and the proposed expenditure seems to be reasonable. We in this party, and I'm sure other parties too, have always maintained that there should be more autonomy at the local level. It seems to me what the official opposition is asking for is to dry up the government source so the local people can't function, because the moneys are not there. Surely, this is not giving more autonomy to the local municipalities. I personally feel that the motion is certainly not to my liking. I can't support it.

**Mr. Nixon:** Gosh, it might not carry.

**Mr. Johnson:** My comments are very similar to those of Mr. Givens. As an out-of-town member, coming into the city, I have found we have quite a problem with the road system, and certainly to the north. I don't have the answers, but I certainly don't think that spending \$57,000 on planning is a waste of money. Possibly we don't need it, but I have to concur with Mr. Givens when he said we certainly should be looking at other possibilities. Out of an expenditure of \$14,711,000, I think \$57,000 is quite a reasonable amount to spend on planning. Of course, I'll have to support this expenditure, and vote against the motion.

**Mr. Yakabuski:** Mr. Chairman, and other members of the committee, again as an out-of-towner, one only has to look around and take all the other factors into consideration,



whatever they may be—and we have been reminded all too often about them—and using an old thing called common sense, one would know that the Don Valley Parkway provides a fine artery. The improvement to Highway 427 a few years ago also provided an excellent traffic artery in the west. One doesn't have to drive around the city very much to realize there really has to be a corridor down the centre. Common sense would tell you that, taking all the other factors into consideration. What Mr. Givens said about a balanced system of transportation is correct, and there's no question about it.

**Mr. Nixon:** A lot of common sense.

**Mr. Yakabuski:** What has been said about other transit forms is correct. They are required and, I think, they will be provided in due course. At the same time, arteries such as the Don Valley expressway and Highway 427 are absolutely necessary.

The strange thing about it, and the thing that galls me so often, is to see some of the people with bumper stickers on their cars protesting against such arteries. These are the people who are really on them a lot of the time. They don't stay off them. They complain about the Hydro rates, but they want to use their hair dryer or curler every night. It is the same kind of approach to the problem. Therefore, Mr. Chairman, I would have to reject this motion.

[4:15]

**Hon. Mr. Snow:** With all due respect, Mr. Yakabuski, there's no money in this vote for hair dryers.

**Mr. Cunningham:** You should be the last guy concerned about that.

**Mr. Givens:** That is enough to curl your hair.

**Mr. Chairman:** Any further discussion on this motion before I call on the minister?

**Hon. Mr. Snow:** I don't know that very much more can be said about this project. I could go on at great length, reading into the record resolutions of the corporation of Metropolitan Toronto requesting this project to proceed; resolutions of the borough of York relating to the project.

**Mr. Nixon:** You signed an agreement for the Spadina, too; remember?

**Hon. Mr. Snow:** We are planning to proceed with the route studies of the project and I think we would not be carrying out our

obligation if we did not do this. I would ask the members of the committee to oppose this motion so that this project study can proceed.

**Mr. Chairman:** Any further discussion? We have a motion by Mr. Philip. I think all the members of the committee have a copy of the motion so it won't be necessary to read it.

**Mr. Givens:** Is everyone here entitled to vote?

**Mr. Chairman:** We'll have the clerk call the names of those who are eligible to vote.

**Clerk of the Committee:** Mr. Wildman, Mr. Nixon, Mr. Cunningham, Mr. Evans, Mr. Ziemba, Mr. Johnson (Wellington-Dufferin-Peel), Mr. Lane, Ms. Bryden, Mr. McNeil, Mr. Spence, Mr. Philip, Mr. Williams, Mr. Yakabuski.

**Mr. Chairman:** All those in favour of Mr. Philip's motion?

Those opposed?

I declare the motion lost.

Shall vote 2402 carry?

Some hon. members: No.

**Hon. Mr. Snow:** When a motion is voted on, does that not carry the vote?

**Mr. Cunningham:** I guess not.

**Hon. Mr. Snow:** As was discussed previously, we have Mr. Foley with us today. Mr. Foley has commitments in Ottawa later this afternoon and it is rather important that he be able to attend.

**Mr. Givens:** Later this afternoon? He isn't going to make it. Even Krauss-Maffei wouldn't get him there.

**Hon. Mr. Snow:** That will be up to the committee but I would ask if we might proceed with any discussions on the UTDC portion of this vote now and leave the balance until after.

**Mr. Chairman:** What item does that come under?

**Hon. Mr. Snow:** Item 3 of vote 2402.

**Mr. Chairman:** Vote 2402, item 3.

**Hon. Mr. Snow:** Mr. Chairman, I might explain that the total of item 3 of vote 2402 is \$6,815,000. There is \$1,560,000 which will be a transfer payment to the Urban Transit Development Corp. We are talking about a total amount of \$1,560,000.



**Ms. Bryden:** Mr. Chairman, I welcome the opportunity to discuss the work of this rather mysterious organization. It has had a very low profile until now, the Urban Transportation Development Corp. I'm not quite sure why the name was changed from Ontario Transportation Development Corp. or whether there is anything subtle in that.

Interjections.

**Mr. Chairman:** Order, please.

**Hon. Mr. Snow:** Just a moment, I may have misled the committee on the amount we're talking about. The amount is \$1,180,000.

**Mr. Williams:** Is that for the UTDC?

**Hon. Mr. Snow:** Yes. I'm sorry; I was looking at the wrong line here.

**Ms. Bryden:** Mr. Chairman, I think what we would like to know is the breakdown of that \$1,180,000 as to exactly what it is going to. We also have some additional questions. I don't think the questions in the House have completely clarified what the \$6 million spent in the last year by this corporation was spent on.

**Hon. Mr. Snow:** Ms. Bryden, if I may explain, this \$1,180,000 is the amount in this year's estimates for the \$6.1 million project. There was something less than \$5 million advanced to UTDC in the past fiscal year; this is the balance of the \$6.1 million.

**Ms. Bryden:** Thank you, Mr. Minister. We would still like a further breakdown of how that \$5 million was spent in the last year and whether it was a case of picking up the pieces from the Krauss-Maffei experiment that didn't work out, or whether it was for ongoing and new research. Certainly we need to develop new technologies and new ways of meeting urban transit needs, but I think we have to know a great deal more about the operations of this particular corporation as to whether it is continuing to throw good money after bad, or whether it is really getting on to some projects that are going to be practical and useful in the future.

In addition to the breakdown of the two figures, last year's and this year's, we would like to know how many people are employed by the corporation and roughly in what sort of categories. We would like to know whether phase two of the corporation's work has been completed yet. According to a statement by the minister's predecessor on April 14, 1975, phase 2 was supposed to have been completed within 13 months of that time. We'd like to know if it has been com-

pleted and whether the prime contractor has been selected—which was really to be done as part of phase 1 — and who the prime contractor is.

Phase 3, I understand, is supposed to take 2½ more years. I'd like to know how much of this year's estimate is for phase 3. I presume all of it should be, but some of it may be for completing phase 2.

**Mr. Nixon:** Is that the revenue phase?

**Ms. Bryden:** I think the only mention in the April 14 statement of revenue was that the experimental track some day might become a revenue-producing track somewhere out in the suburbs. We'd like to know where that experimental track is going to be located, what it will cost and who the contractor for that will be, if that has been decided.

I'd like to know what progress the corporation is making towards Canadian content in research and development of new technologies. I think one of the criticisms of the previous experiment was that there wasn't enough Canadian content in it. I would like you to give us some idea of how much Canadian content there will be in the next year's operations.

Are we now ready, if phase 2 is completed, to make a decision as to what kind of projects the corporation will undertake and the approximate total costs, not just your costs, of the development of the prototype, the test track and ultimately leading to the phase 5 stage of commercial production? We would like to know the projected cost of the remaining phases up to phase 5. I think those are my main questions.

**Hon. Mr. Snow:** I'll make some comments and then ask Mr. Foley to give some of the details. I would point out that the funds in this vote are only for phases 1 and 2—it's really phase 2 — of the project. There are no funds in this vote for phase 3. The number of people employed at UTDC at the present time is 85. Is that right, Mr. Foley?

**Mr. Foley:** Approximately 83.

**Hon. Mr. Snow:** There are 83 people on staff at this time. In response to the hon. member's concern about Canadian content, I'm sure Mr. Foley will wish to comment on this. As we discussed yesterday in another vote on TATO and our equipment purchases there, I think we are almost totally Canadian content, certainly manufactured in Canada. It is pretty hard to define when one gets down to the actual nuts and bolts of building a piece of equipment. It's pretty

hard to say it can all be Canadian content because there is bound to be some imported components. The money we are dealing with here is only for phases 1 and 2. Mr. Foley, would you try to give Ms. Bryden more details on her questions?

**Mr. Foley:** Yes, I may have missed some of the questions, but I'm sure you will remind me. Your first question was, basically what does the corporation do and what does it consider its mandate to be? I could put it in three fairly simple terms. The order of priority may move in any direction, but we think they're all pretty well equal. The first would be research and development of urban transportation technology. We limit ourselves to urban areas only and basically we haven't been involved and are not intending to be involved in intercity transportation of any type.

The second mandate that we consider is to attempt to stimulate and co-ordinate the domestic industrial capacity that will provide some co-ordination of the transportation vehicles and systems. Just as a word of explanation, one of the major problems in urban transit for the industrial groups is that they tend to always produce customized vehicles for custom responses in each individual city. Part of our programme has been to get as much co-ordination on the subsystem level as possible so that we can get some economies of scale and on the industrial side we can get some more development being undertaken at that and it can in effect be a profitable business.

The third mandate that we turn our energies towards is to try to co-ordinate some of that industrial capacity towards the export market so that Canada may assemble and export some of its technology, both conventional and developing technology by and large for developing countries, third world countries.

What is the staff and what are they engaged in? I can give you a breakdown by skills. There are roughly 36 people in direct and straight engineering fields. There are four people in marketing. There are approximately 19 people, whom I have labelled planners and analysts. Part of that problem is that some of those people I wouldn't call operational people rather than straight engineering. There are 12 clerical people. There are four we call senior managers. There are five people on the executive staff, there's one lawyer, and then there are a couple of clerical and secretarial people, such as Telex operators and so on.

[4:30]

Insofar as phases 1 and 2 go, I can give you a breakdown of the \$6.1 million—which, by the way, won't add up to \$6.1 million; it will add up to \$5,872,000, because that's the amount of money that will be expended on phases 1 and 2. The job is completed. It was completed by the end of May. Basically, the period from April 30 to May 31 was used for completing of the documentation. Phase 1 had a cost of \$1,303,000. Phase 2A—we broke down phase 2 basically into two periods of time—was \$1,644,000; and phase 2B was \$2,295,000. That adds up to \$5,872,000, and that completes phases 1 and 2.

**Ms. Bryden:** Could you tell me what the breakdown between 2A and 2B was? Was it just time or was it—

**Mr. Foley:** No, it basically breaks down into subsystem evaluation and then selection of subsystem technologies and the integration of them into a system. So it was a convenient engineering breakdown rather than a financial or administrative breakdown. There was a lot of work done on what we call phase 2A subsystems such as trucks, wheels, linear motors, propulsion systems and so on. The integration of that into an overall system was labelled as phase 2B.

I think one of the other questions was: "Has a prime contractor been selected?" The answer to that is, yes, but we don't call it that. We call the contractor a development contractor, because UTDC's basic function here is to act as a prime contractor in the assembly of all of this activity. At present, Canadair is the development contractor. It has a number of subcontractors working for it under our guidance, and then there are a number of subcontractors who work directly with UTDC. Some of those are such as Canada Systems Group, Spar Aerospace, KVN, or Kilmer Van Nostrand. There's a number of consultants who were involved, such as Bell-Northern, the Battelle Institute; we have two other companies involved, one is Rohr Industries and the other is Standard Electric Lorenz and IIT Canada.

There is a whole series of other small sub-contracts, if you want, small consulting jobs or individual pieces that we farmed out, in effect. Our policy is and will continue to be to farm out or to put into the private sector as much of this work as possible, and our present targets are, for every job in UTDC we're looking at 10 outside. We've managed to accomplish that within phases 1 and 2.



Within the total corporation and all its activities, Canadian content has a very high ranking on most of the decisions that are made, if not all of them. Within phases 1 and 2 there was some concern on our part, having already had a substantial sum of money spent by Krauss-Maffei and a number of other German and Canadian corporations in the development of the transurban system, that we obtain as much utility as possible out of all that was developed there.

Therefore, we examined with some intensity the various subsystems that were built into that development, and what had been obtained and what had been developed, and there were at least two major areas where we took over and acquired that programme. One was in the linear motor. Spar Aerospace, which is located in Toronto, has developed and had developed at that time one of the best linear motor propulsion units in the world. In fact, during the TDS tests they competed directly with four international groups, and in all areas of measurement they came up with the best motor. So, clearly, that was a Canadian area which we could easily assimilate and we did so. The other was perhaps one of the most interesting and beneficial things to come out of that. That was the ability to operate a command and control system of some sophistication. We continued the tests on the Munich test track almost until July, I think—

Mr. Nixon: Of 1975?

Hon. Mr. Snow: Not 1976?

Mr. Foley: Yes, 1975; June 30 or July 30, I can't recall the date—1975.

Mr. Nixon: That would be in the last fiscal year.

Hon. Mr. Snow: Yes.

Mr. Nixon: You may recall the matter was raised in the House and the minister indicated there had been no expenditure during the last fiscal year?

Mr. Foley: Keep in mind, sir, that the tests for the automated system which we were able to operate on Krauss-Maffei's test track were not at our expense.

Mr. Nixon: They paid for our engineers and all that?

Mr. Foley: We didn't have engineers over there during all of that time. Standard Electric Lorenz, which was Krauss-Maffei's subcontractor, carried out the testing on the automated control system; it has a lot of

proprietary work in that and has agreements with the West German Ministry of Science and Technology to continue that development.

Mr. Nixon: As part of the windup agreement, there was no expenditure to our Treasury or to your particular vote in any way?

Mr. Foley: No.

Hon. Mr. Snow: One of the questions I think I was asked was when we last had our engineers in Germany.

Mr. Foley: I would have to check that. I think it was around June 1 or the end of May that our last people came out. The last people who were there were documentation people rather than people doing testing on automated control systems. SEL being a subsidiary of ITT, ITT Canada assumed all of that technology, and, in effect, became the automation group around the programme and brought that work into Canada. At that time we also brought in Rohr Industries, which is a United States corporation heavily engaged in transit. We wanted to assimilate some of the fabrication technology they used. I suppose from our Canadian content point of view, we could suggest that all of the activities, with the exception of Rohr's involvement and to the extent that some portion of SEL's work has been in phase 1 and 2 in Canada—some of SEL's work has been in Stuttgart, basically simulation work.

Ms. Bryden: But is not ITT Canada really a subsidiary of ITT International?

Mr. Foley: You've got me into the problem now of how we define a Canadian entity and this is one of the problems UTDC has had. Certainly, most of the manufacturing and high technology groups in Canada are multinational subsidiaries. As a matter of policy we have not constrained ourselves not to deal with those corporations.

Mr. Givens: May I ask a question of Mr. Foley?

Mr. Foley: Certainly.

Mr. Givens: At the time of the debacle when it was a matter of salvaging what was salvageable and you went ahead with your salvage operation, my memory is hazy but I recall that there were two very powerful names that were bandied about as being interested in joining us in this great adventure. One was McDonnell Douglas and the other one the Alberta government.



As a matter of fact, in Hansard I recall there was a little argument which took place between me and the minister in which the minister indicated there was an agreement that McDonnell Douglas was going to pay 50 per cent of the costs. There was a statement made—I wish I could put my finger on it—that the Alberta government was going to come in for from \$5 million to \$8 million.

On Dec. 16 there had been a meeting with the Alberta industry minister, Fred Peacock, who was quoted as saying that Alberta would invest between \$5 million and \$8 million in the UTDC.

In either of those two cases, what happened? Is McDonnell Douglas in or out? Is the Alberta government in or out? Or was this just done at that time in order to paper over the mess we had and you were trying to buoy up our spirits?

**Mr. Foley:** Mr. Givens, I wouldn't try to buoy up your spirits but the situation falls into two distinctly different propositions and perhaps I could deal with them separately. McDonnell Douglas entered into an agreement with Krauss-Maffei. I haven't got the terms of that agreement in front of me and I am going from recollection, but if I recall it, it was based on a \$20 million investment that McDonnell Douglas would put in to assume the non-exclusive rights—if I recall it right—to the Krauss-Maffei technology in the US.

That agreement was, in fact, signed, but it had a termination clause in capability that when the Ontario government terminated its contract with Krauss-Maffei and the contractual relationships were over, there were no further obligations with McDonnell Douglas.

We consulted with McDonnell Douglas and discussed with them operations in phases 1 and 2. It was decided relatively early on that McDonnell Douglas wasn't going to continue with us on the basis of the Canadian content requirements we would have, and the fact that the total operation would have to be directed out of Canada and the test track and all other prototype development would have to be done out of Canada.

There were a number of things that happened, perhaps subsidiary to that, but which certainly influenced Mr. McDonnell's decisions as to how he would operate. They had to do with perhaps the Canadian government's decision as to what would happen with the aerospace industry in Canada, what would happen with Douglas Canada and what would happen with the long-range patrol aircraft. Mr. McDonnell made a discreet decision, subsequent to the termination and after he

had no further obligations with Krauss-Maffei as to how he would proceed in transit. As a corporation, they have decided not to proceed in transit.

**Mr. Givens:** So we lost them as a partner.

**Mr. Foley:** I think the situation there was that McDonnell Douglas had a contract with Krauss-Maffei. There was no agreement with the Ontario Government. They were, in effect, a partnership, if you want, in a triangular or a multilateral approach to the development of what we call transurban—or what Krauss-Maffei calls transurban.

**Mr. Nixon:** I don't want to get you off the track because this is very interesting to me, but are any of the McDonnell Douglas people in any way formally associated with your programme?

**Mr. Foley:** If there are, there are only one or two and that would be because they were hired by Rohr Industries; but not directly with us, no.

**Mr. Givens:** But that is what I am trying to determine. We lost their interest. They are out of the picture, right?

**Mr. Foley:** Yes.

**Mr. Givens:** Either with Krauss-Maffei or with us?

**Mr. Foley:** With everybody.

**Mr. Givens:** They are out?

**Mr. Foley:** Yes.

**Mr. Givens:** Okay. Now, what about the Alberta government?

**Mr. Foley:** The Alberta government—that's a much more interesting situation.

**Mr. Givens:** I'll bet.

**Mr. Foley:** It has to do with the agreement that was reached between Ontario and Quebec and was announced at the Premiers' conference—I may be out somewhat in my dates, but I think it was September, 1974—which indicated that Alberta would participate directly in the equity of what was at that time the Ontario Transportation Development Corp. Some three weeks after that, the federal government, following a number of speeches that were made about their desire to establish a national urban transportation development company, approached us and indicated that they wanted to participate in this venture.

But there were several rules; in fact, there were a lot of rules that they established. One of them was that they would be the co-ordinating agent or the negotiating agent among the various governments as to who would and would not participate in this venture. They had a proposal that would, in effect, have assimilated the Ontario Transportation Development Corp. into a broad-scale national corporation.

At that time, we indicated we had an agreement with the Alberta government, that we felt we had some obligations in that matter, and that that would have to be discussed first. At that point, Mr. Gillespie, who was then the Minister of Industry, Trade and Commerce—asked his staff to consult and negotiate with us on how this might be handled. They came up with a set of rules that indicated there had to be five governments involved in it.

[4:45]

There were a whole host of other rules which were all public because Mr. Gillespie made them public on Dec. 4 of that year. The fact was that the negotiations with Alberta could not proceed and come to a conclusion until after the decisions would be made in Ottawa. That proposal of Mr. Gillespie's was released on Dec. 4, 1974, in which he stated he was prepared to have the federal government create a national urban transportation development corporation in which the lead partner, in effect, would be the federal government.

It was followed by a number of other statements by Mr. Danson and a number of other ministers. I was asked to attend a provincial ministers' conference in Newfoundland at that time and make a presentation on behalf of that proposal to those ministers. We were assured that there would be agreement to Mr. Gillespie's proposals by all of the provinces because he had consulted with them. We then asked him to contact Alberta directly and indicate the nature of the proposal and to withhold or, in effect, delay any agreement that we would enter into with Alberta.

Mr. Nixon: About what time are we at there, what date generally?

Mr. Foley: Between December, 1974 and, say, February, 1975. If you want a connection with Krauss-Maffei, the proposal that Mr. Gillespie put out was one month subsequent or after the termination of the Krauss-Maffei contract.

Mr. Nixon: Actually, the connection is the statement from the 15th annual Premiers'

conference, on Sept. 13 at which the formal announcement was made with substantial fanfare—it had nothing to do with you, of course—that "Alberta and Ontario are pleased to announce—dum de dum dum," that sort of thing. It was just about three weeks before what Mr. Givens chooses to call the debacle.

The whole thing was substantially stage-managed, as well as the McDonnell Douglas announcements. This is ancient history. Some of us are much too occupied with that, but I remember from the responses in estimates at that time, and since, when there was very valid and probing criticism of these very things that certainly we were not treated with the rather mild justification for the series of events. It's not Mr. Foley's responsibility in any way and it's not the minister's responsibility. It was his predecessor, Mr. Rhodes, who was accepting the advice from the ministry at that time. But turn the documents out of the file and remember how important they were in the broad, political scheme of the times to maintain confidence in a programme which surely even then anyone who was close to it must have known was doomed. It is almost irresponsible when you look at it from this standpoint. It's ancient history now. It doesn't really matter very much. When you read the verbiage that was appropriated then, the commitment from the minister after the phase-out, after the closedown had been announced.

There were the statements that McDonnell Douglas has already agreed to cost-share and to collaborate during the takeover phase. Preliminary discussions have already been initiated. Pilot production and revenue-production phases were referred to. Here is a direct quote:

Hon. Mr. Rhodes: McDonnell Douglas will pay 50 per cent of these costs.

Mr. Givens: You haven't even got an agreement.

Mr. Rhodes: We've got the agreement.

The same is true with the Alberta situation. On the basis of sitting around the cool government departments or in corporate boardrooms, it's always a very careful, justifiable procedure. But I'll tell you, politicians who were responsible for it were very close to being irresponsible in those days.

Mr. Givens: Look at what has happened. Would it be unfair to put it this way: From the high point, the point of that festive luncheon that we had at the Science Centre—

Hon. Mr. Snow: I wasn't there.

Mr. Givens: You weren't there. Mr. Foley was there. I feel for you, I commiserate with

you. Look at what's happened, and probably it's unfair to put it this way. The Bonn government pulled the rug out from under it. The McDonnell Douglas firm is no longer associated in any way whatsoever. I mean, this was trumpeted as being a big deal, indicating that a great, big American firm was interested in the technology which you thought was a great thing. And Alberta is no longer interested. You indicated at that time that Quebec was interested, and that somehow the line from Montreal to Mirabel was going to have our cars—I even include myself.

Now, a year from that time, we find ourselves as isolated as Rhodesia is in the middle of Africa. Right? I mean is it unfair to put it that way?

**Mr. Foley:** Yes.

**Mr. Givens:** You are assuming that you're going to win this thing through and everything is going to turn out to be copacetic. Everybody was going to be with us on this, and this was going to be a world beater. Do you remember them talking about world rights; that we were going to sell to the world—

**Mr. Nixon:** We were going to be able to do away with taxes, as I recall.

**Mr. Givens:** Yeah! We were going to be as rich as Alberta. Is it unfair, Mr. Foley, to put it that way—that we're completely isolated?

**Mr. Foley:** In response to your question, it being my opinion, the answer is, yes, I think it is unfair to put it that way. Clearly, the ability to link the Alberta decision to the Krauss-Maffei decision, I think is a distortion. The McDonnell Douglas agreement, in fact, existed. Quite frankly, sir, with due respect, the politicians did not negotiate the agreement with McDonnell Douglas.

**Mr. Nixon:** The Premier (Mr. Davis) didn't go to California and talk to anybody down there?

**Mr. Foley:** The Premier did not go to California. I negotiated the agreement with McDonnell Douglas, in conjunction with Krauss-Maffei. McDonnell Douglas had a valid agreement that was enforceable if the programme continued.

**Mr. Nixon:** But even when it was to be phased out, the minister said we had a 50-50 agreement.

**Mr. Foley:** Yes, I'd like to come to that. That is not the agreement that was the \$20

million. At that time we had an agreement with McDonnell Douglas that during what we loosely labeled the 120-day period of time, we would work in Germany and in Canada at what we called the data acquisition. And McDonnell Douglas did, in fact, participate in that process. They did—

**Mr. Givens:** Excuse me, but Premier Davis didn't go to California on Sept. 15 to meet with the president of the corporation, Mr. Charles Able, who made quite an impression on Bill Davis?

**Mr. Foley:** No, it may have been Mr. Able who came here, because I know Mr. Able met with Mr. Davis on a number of occasions. But I do not believe Mr. Davis went to California to—

**Mr. Nixon:** Did that assist, in any way, in the negotiations that you say you were carrying out? What was the purpose of that, if you were carrying on negotiations?

**Mr. Foley:** I'm sorry, I don't understand the question.

**Mr. Nixon:** The meetings with the president of McDonnell Douglas and the Premier?

**Mr. Foley:** What was the purpose of them?

**Mr. Nixon:** Yes. If, in fact, the negotiations were not being carried on at the political level?

**Mr. Foley:** Because I assume Mr. Davis had a direct interest in the programme and that Mr. Able was the president of the company directly involved, and the two were introduced.

**Mr. Nixon:** Oh, so they were not really participating in negotiations?

**Mr. Foley:** There were no negotiations conducted between Mr. Able and Mr. Davis.

**Mr. Mancini:** Certainly they must have discussed it.

**Mr. Foley:** If I can, I would like to go back to the question as to whether I think it was fair to put it in that way and to suggest linking the Alberta situation with it. As I was pointing out, McDonnell Douglas did cost-share in a data acquisition phase, and they did continue their staff in Germany. We did not pay McDonnell Douglas anything at any time for any of their services. They had no rights to any of the data that we accumulated, or have maintained or retained on the process.



With respect to Alberta, it was on the basis of assuming that the federal government was sincere in proposing to develop a national transportation corporation, that I requested Mr. Gillespie to phone Mr. Peacock personally from his office and to indicate that it would be best to hold off any negotiations or any agreement with Alberta. The feeling was that if there was to be a national entity developed in this field, that it would be better to do it on a unified single-shot basis rather than through a whole set of bilateral negotiations.

Alberta agreed to that and indicated that the matter then was in the hands of Mr. Gillespie, who would conduct these negotiations. Quite frankly it's unfair, because at that point Mr. Gillespie assured us those governments he had proposed were interested. I have personally spent 2½ years negotiating the various terms and conditions, which run from the sublime to the ridiculous in that negotiation.

I have done that with several ministers at the federal level and at the present time it's my judgement that the federal government does not want and will not proceed with a national urban transportation development corporation. Quite frankly, that's an opinion of recent vintage. We have not pursued, in that matter, the Alberta agreement with the exception of making certain information available to Alberta which we made available to other provinces which were interested in negotiation.

In my judgement, it is unfair to link the Alberta situation to the Krauss-Maffei deal at all. The proposal by Mr. Gillespie continued for 2½ years virtually—at least a year, just about two years, pardon me—and came after the termination of that agreement.

**Mr. Nixon:** Mr. Chairman, I don't want to unduly pursue it but if you'll just permit one question—

**Ms. Bryden:** On a point of order.

**Mr. Nixon:** —since the gentleman answering has said that it's unfair to link it—

**Mr. Chairman:** Ms. Bryden is making a point of order.

**Mr. Nixon:** I'm sorry.

**Ms. Bryden:** Mr. Foley had not finished answering my questions and I thought these were just short answers regarding some things. It seems to me we're getting into a long debate on another item which I think should come up when the other members have their

turn. I would like to continue with the answers to my questions; I still have two or three here which Mr. Foley may not have noted down but which I did ask.

**Mr. Foley:** I'm sorry.

**Ms. Bryden:** Did you feel that you had run out of—

**Mr. Foley:** I was looking at what ones I had answered. Quite frankly, I've been around and I don't remember exactly which ones were answered and which ones weren't.

**Mr. Nixon:** Mr. Chairman, on the point of order, I imagine the hon. member would like to complete her line of questioning and it would be at your judgement, sir, but I've got one more comment to make and a question and then I'm finished with that. I can put it later, if that's your judgement.

**Ms. Bryden:** I'd be willing if it's just one more comment and we wouldn't get into a long discussion.

**Mr. Nixon:** I appreciate that. Mr. Foley has said he felt it was unfair to link it. Its undoubtedly unfair to link it from his point of view but it can definitely be linked from the point of view of the minister and the ministry. I would like to bring to your attention that the Krauss-Maffei concept came from the policy decision to move away from expressways in this city, made just before the election of 1971. That's irrelevant as far as you're concerned but not irrelevant as far as some of the rest of us are concerned.

The justification for stopping the expressway was that we had a much better means of transportation. The Krauss-Maffei magnetic levitation concept came forward with all of the panoply that you recall—that is, Mr. Foley recalls because he was a part of it; he was a recent acquisition as far as we're concerned. He made a great impression then as, frankly, he has on every occasion he's appeared here.

I can remember that and that this was supposed to be the answer. The criticisms began and the technical criticisms began and it became apparent to some of us that the Krauss-Maffei arrangement was kaput—that is probably the appropriate word. Three weeks before this announcement came forward, as I said, from the Premiers' conference, no less a place, the populace, then less than a year away from the next election, were treated to these two paragraphs:

Today Alberta and Ontario are pleased to announce that the Province of Alberta

will make an investment in the Urban Transportation Development Corp. and will co-operate with Ontario in the development within the private sector of Canadian transit technology and of Canadian transit equipment industry. [Further on:]

The Urban Transportation Development Corp. will enter into co-operative agreements, engineering development programme with Douglas Aircraft of Canada and McDonnell Douglas Astronautics Co., California, as well as other Canadian companies for joint development of revenue systems based on GO-Urban technology.

While this was of no concern to the experts in the ministry, I would submit to you, Mr. Chairman, that it was the utilization of the expertise represented by the able and expensive people here present for what I consider to be irresponsible political purposes.

I don't have to mention it again but surely you can't expect me and perhaps some others to allow that to go by at least unnoted by a record which will be gathering dust now for another several hundred years. But that's the way it happened.

[5:00]

**Ms. Bryden:** I think I would like to get on to discussing what the money we now have is going to be spent on, rather than going back over some of this ancient history.

**Mr. Givens:** It is still going on.

**Ms. Bryden:** But going back to some of my questions, I wanted a breakdown of the money spent on phase 1, which is a bit of past history. Could you tell us how that \$1.3 million was spent?

**Mr. Nixon:** They spent that a long time ago.

**Mr. Foley:** I can break it down by sub-contracts, if you want; that would begin to define the elements, within that sort of contract. In phase 1, there were basically two fields of activity. One was the initiation of what we called the creation of the operational requirement, which then had to go back and say, "We are looking at trying to redefine or define precisely what it is the technology ought to address at the intermediate capacity level." Clearly, what was being said—and it's still being said at almost every municipal level—was that it is the intermediate-capacity transit they wanted.

Canadair spent \$513,500 basically on technology development, technology evaluation and data acquisition. Canada Systems Group,

which was basically doing data development, spent \$61,400. On the command and control system, we spent \$292,300. On what we call the reliability and maintainability evaluations with the Battelle Institute, we spent \$35,900. Within UTDC ourselves, we spent \$399,900, basically on managing the programme and data assimilation and data transfer. That is phase 1. I take it you want me to go to phase 2, A and B.

**Ms. Bryden:** Yes, please.

**Mr. Foley:** By element, on systems analysis work—and that is basically total systems—UTDC spent \$6,400 and Canadair and its subcontractors spent \$105,800, which totals \$112,200.

On suspension and propulsion systems—that's the motors and the suspension system—UTDC spent \$21,400 and Canadair and its subcontractors, by and large Spar Aerospace, spent \$355,800, which totals \$377,200.

On the definition and development of the vehicle configuration, UTDC spent \$8,100 and Canadair and its subsidiaries, which would be basically Canadair and Rohr, spent \$132,600, which totals \$140,700.

On command and control, UTDC spent \$9,500 and Canadair, which would be largely Canadair and ITT, spent \$132,000, which totals \$141,500.

On infrastructure, which by and large would be guideways and stations, UTDC spent \$12,200 and Canadair and its subsidiaries, which in this case would have been largely KVN and Abam Engineering—and perhaps there would be some money there that TTC was paid to develop some station design—spent \$203,400, totalling \$215,600.

On systems engineering, \$39,100 was spent on UTDC's part, and Canadair and its subcontractors spent \$103,800.

On applications analysis, which would be looking basically again at the details of specifications as to how complicated the technology had to be to satisfy the transit operators and the municipal planners, UTDC spent \$90,700 and Canadair spent \$750,200.

On what we call overall management, including overheads, UTDC spent \$153,000 and Canadair spent \$199,000. All of that totals \$1,644,000. That is phase 2A. Do you want me to go through the same for 2B?

**Ms. Bryden:** I gather it is somewhat similar.

**Mr. Foley:** I can make this available to you if you want.

**Ms. Bryden:** I think other people do want to get into the debate. Perhaps you could



supply the committee members with the breakdown later.

Mr. Foley: I'll do that.

Ms. Bryden: I did want to know, though, what is the total cost estimated for completion of phases 3 and 4 up to the manufacturing stage? What are we looking at in terms of the longterm demands of the corporation?

Mr. Foley: I don't know whether the minister wants to answer that question or he wants me to answer it. I should try to make one thing very clear, phases 4 and 5 are combinations of what, in industrial terms, would basically be the production of revenue systems. We've broken it down into two phases because, by and large, when the prototype systems of anything would be complete you would do a limited production run, which we call soft tooling, which would be expendable in the long run. Phase 5, of course, is an ongoing system that goes forever, so there is no ability.

Ms. Bryden: I just asked you about phases 3 and 4.

Mr. Foley: I was just coming to that. There is no ability to question the numbers in phase 4, because it really depends on how sophisticated they want to make the tooling, but it would be totally an industrial investment. In other words, there is no expectation that government would make that investment; it would be done by the private sector on the basis of revenue orders.

Ms. Bryden: Do you have an estimate of what the corporation will require over the next, say three to four years, whenever you expect phase 5 to be entered into?

Hon. Mr. Snow: Mr. Chairman, I think I should answer this part. Phases 1 and 2 have been completed.

Ms. Bryden: Right.

Hon. Mr. Snow: Mr. Foley has made the results of phases 1 and 2 known to me and I have made certain recommendations to cabinet. The matter is under consideration at this time, relating to phase 3. I expect in the not too distant future to be able to make a full and complete statement as to our intentions in phase 3, but I cannot do so at this time.

Ms. Bryden: Have you also made an estimate of what phase 4 will cost?

Hon. Mr. Snow: As I say, this matter is before cabinet at this time and it has not been decided upon. The final decision has not been made. I assure you I will be making a full statement once that decision has been made.

Ms. Bryden: Has a decision been made about where the new test track will be and what it will cost?

Hon. Mr. Snow: That will be part of phase 3.

Ms. Bryden: That has not been decided then. This is one final question: What work is being done in the States right now for the corporation? Or outside Canada I should say.

Mr. Foley: In the US—I was going to say there is no work, but I'm wrong in that. We did make use of one of Rohr Industries test machines to do some testing on the fatigue life of a transistor power conversion unit, and I can't tell you how much that was, but it is a very small amount of money. It's probably \$3,000 or \$4,000, and that's all that's going on in the United States in this programme.

I could go to the light rail vehicle, the streetcar replacement programme, and there are two elements of work that are going on outside Canada in that area. One is Garrett Manufacturing Ltd., which is a subsidiary of Garrett Manufacturing in the States, which is a subsidiary of the Signal Corp. They have the contract for the propulsion units for those streetcars and they have, under some pressure, agreed that all of the unit except the motor and that may sound like a lot but it is not, the electronics and the control gear is the most sophisticated and the most valuable—but the motors will be produced in I think it's Torrance Calif. The balance of the propulsion system will be produced at Garrett in Rexdale.

The other area of work is that, in conjunction with ourselves, TC and our Canadian suppliers we have the Swiss Industrial Corp. doing some car body design on the light rail vehicle and they will produce 10 prototypes of that car body.

Mr. Wildman: Is this government involved in that?

Mr. Foley: No.

Mr. Wildman: They are not.

Mr. Foley: They are a private car manufacturer that has been in the transit business for a hundred and some years I guess. They



will use all the Canadian components in the propulsion system, the braking system, the door controllers and so on. In effect what they would do is they are doing some car body development work and design work.

**Mr. Wildman:** Are you doing work with them on that?

**Mr. Foley:** Pardon?

**Mr. Wildman:** Is anyone from your corporation involved with them working on that?

**Mr. Foley:** Yes, I would guess, and I am only guessing at this point, there are probably 15 engineers involved in that.

**Mr. Wildman:** Do they travel back and forth regularly between Canada and Switzerland?

**Mr. Foley:** I think we probably have two people. Hawker Siddeley, which has a sub-contract with us on car body design and manufacturing capability, has one man over there, and I think we have one who lives there permanently or at least during the duration of this contract. There are design reviews held every month and I think we alternate the location of those; some are here, I am sure there must be one every quarter that is there. So yes, those people would travel back and forth during that design review.

**Mr. Givens:** What is your comment on the story that the new cars aren't as commodious or good on acceleration as the old cars were?

**Mr. Foley:** Well it's not true.

**Mr. Givens:** That is not true.

**Mr. Foley:** No.

**Mr. Givens:** You saw that programme?

**Mr. Foley:** Yes, and I made a presentation, which I will be glad to make available, to the TTC yesterday at their commission meeting, outlining the actual facts behind that. It is about a 25-page document and I could make it available to you.

**Mr. Givens:** It's not true on both counts?

**Mr. Foley:** The story was virtually not true on any count. I hate to say that, because by and large the press have been very fair in this process, but that story, in my judgement, did not represent the facts at all. Our engineers have provided a detailed analysis of acceleration, deceleration, costs, energy

requirements and so on. It is a public document, if you would like to have it it's available.

**Mr. Givens:** They will accommodate as many people or more?

**Mr. Foley:** They will accommodate more people.

**Mr. Givens:** Okay.

**Mr. Cunningham:** With no disrespect to the member for Beaches-Woodbine, the basis of my question really does relate to past history, because I am concerned, not only about the cost, and I must admit very frankly some confusion on my part, as well as possibly the expense we have had maybe in delay in implementation of some sort of meaningful rapid transit system.

It was during the 1971 election that the Premier (Mr. Davis) got, I think some tremendous headlines, I think much to his benefit, obviously, by the statistics, in announcing this experimental transit line from the CNE to Union Station. It was supposed to be in operation by 1973, I read here, and it was to cost between \$1.5 million and \$2 million. The Globe and Mail commented, and I quote: "The experimental line goes in the face of Metro planners who have said such a model won't be workable for 10 years."

On the first of May, 1973, the firm of Krauss-Maffei was awarded a \$10 million contract to build and supply hardware for a CNE test track. Track and station construction was estimated to cost \$6 million, for a total cost of \$16 million. This later rose to \$17.5 million, but the former minister, the hon. Gordon Carton, told the Legislature and I quote: "There will be \$17.5 million spent in total on the TDS, the test track, and not a dime spent further until it is in fact successful."

The minister told the Legislature that a Krauss-Maffei system was being built and going into operation that autumn in Heidelberg, Germany. The statement, I think history would bear out, was untrue. The city of Heidelberg, in fact, rejected the entire project.

Between 1973, in October, and May of 1974, reports and observations from municipal experts and others all pointed to the excessive cost and technological risk of proceeding with the system as it existed. In May of 1974, my party discovered and revealed that track and station cost to the CNE had gone from the estimated \$6 million to over \$13 million. On Nov. 13 that same year, the government killed the CNE tests. The costs of this, I must

admit, having heard statements in the Legislature and through the press, are of considerable confusion to me.

[5:15]

On April 14, 1975, the government announced it would sever ties with Krauss-Maffei, acquire rights to technology and spend a further \$6.1 million on the system despite the West German government's warning that over \$40 million in the next two years would be needed to make it work. If we have a problem, I suppose, in commenting on this I think it stems from some confusion and contradictory information.

Mr. Foley, I bear no malice to you on this particular subject. I appreciate the difficult position you are in, especially as a result of the political ramifications of this. You are aware, I suppose, of a letter dated May 18 of this year, from one of our researchers who asked you—very briefly, I'll quote this:

This is to request all information which you may process at this time of a technical or non-technical nature concerning your intermediate capacity transit project. Very specifically, we are interested in the items which the minister, in his April 14, 1975, statement, indicated would flow from the first two phases of your programme.

This would include such things as technical specifications, cost projections, both capital and operating, marketing feasibility studies and any other information pertaining to the basic definition of this new transit system.

We have also asked in the Legislature if we might have a breakdown of how the \$6 million was spent.

I realize this is an involved and lengthy request but we are most interested in the new system and would like to conduct our own thorough analysis of it based on any and all information you might have.

I remain yours truly,  
John Creelman.

He is one of our research staff.

To date, my friend Mr. Creelman tells me we haven't been favoured with a response. First of all, could you comment on that?

Mr. Foley: On whether you haven't been favoured with a response?

Mr. Cunningham: Yes.

Mr. Foley: Yes, you haven't. Quite frankly, the first thing I would need is a truck to deliver it. The second problem was that the documentation, as I think I answered to Ms.

Bryden, was not—the programme was not completed until documentation, May 30.

Being very concerned about the scope of the request, quite frankly, in order to meet the requirements set out in this letter it would endanger a substantial amount of proprietary contracts and proprietary information and I have no ability to divulge all of that material. I have asked our people to go through a substantial set of documentation to determine how close we can come to answering what I think is the intent rather than the letter of this particular request.

I indicated that to John yesterday, I think it was, and he was aware of and knows just how complex and how difficult answering such a request is, even if there was no question of proprietary data and the capability of ensuring the confidentiality of some very valuable pieces of information.

I suppose the answer is you haven't received a response and I think it will be extremely difficult, if not impossible, to meet the total letter of the request. We are going to try to respond to what I think is the intent of the letter at any rate.

Mr. Cunningham: At what stage are we as far as your annual report is concerned? Is that finished yet; completed?

Mr. Foley: I am not sure. I am not sure only because I know that the financial documents have been completed and I know I read the auditor's statements. I know that the annual report is either being printed or it may be printed now; I am not sure of that.

Mr. Cunningham: When would you anticipate that it might be printed or available to us?

Mr. Foley: My guess is probably six weeks, if it is not sooner. I don't know the answer to that question in any more detail than that.

Mr. Cunningham: I would hope that you would appreciate that it would be of considerable assistance to us as legislators to be able to see that and maybe even comment on it during these estimates. If it is not available I guess there is not much we can do about that.

I tell you very sincerely that I must admit, having heard this this afternoon, I have to question the credibility of this agency. We hear about a commitment with the Germans; they back out; a commitment with the Province of Alberta, and they back out. A very large American interest backs out. It causes me to say that we've been on a

never-ending quest for credibility for this agency for the last several years.

**Mr. Givens:** It's enough to shake your confidence in the government.

**Mr. Cunningham:** It wouldn't be unfair to say that, you know.

**Hon. Mr. Snow:** I am very confident in the government.

**Mr. Givens:** Just for the summer.

**Mr. Cunningham:** I wonder if the agency could somehow involve other respectable companies and governments to counter the critics who have attacked it over the years since its inception. We have heard this comment, and it's been quoted here. The Sept. 13 comment is the crunch, really. I remember seeing that on television and it was like the allies marching into Germany. "Alberta and Ontario are pleased to announce that the Province of Alberta—"

**Hon. Mr. Snow:** We've heard that statement. It's gone into the record twice now.

**Mr. Cunningham:** I want you to realize the political ramifications of what I consider to be some fundamental dishonesty or deception. The impact this had—again, I bear no malice to you because I appreciate your position but this has just been beyond belief, really.

Some four years after it was promised we'd see this thing off the ground, we still don't see it. You table responses about how much we haven't spent and how much we've been compensated for. There is some fundamental confusion on my part.

**Hon. Mr. Snow:** Was that information not satisfactory to you? Everything was detailed. I was asked for the information last fall regarding the cancellation of the Krauss-Maffei contract. I tabled it in detail and I answered any questions posed to me. If there is other information you want regarding that, you have not asked for it.

**Mr. Cunningham:** I have to think that we are spending a tremendous amount of human energy through your ministry and through this agency, the costs of which I don't think we're ever going to see. We're not going to realize it.

**Hon. Mr. Snow:** I make no apologies for that whatsoever. I make no apologies for what happened in the past. I'm the first to admit the Krauss-Maffei project was not successful. I want to say that it was only because of a very firm and very well drawn contract—for

which a great deal if not all of the credit goes to Mr. Foley and the staff of my ministry at that time—that when the project got into trouble, when the German government pulled the rug out, you might say, we were able, on behalf of the people of Ontario, to recoup all the costs that had gone into that project to that date, within the few dollars it had worked out to in the final audit.

**Mr. Givens:** I was a believer. I really thought I was going to see those skyways with those cars. I really believed in you. I really thought we were going to see those things. I still see them in my dreams.

**Hon. Mr. Snow:** Mr. Givens, I have every confidence—

**Mr. Givens:** It's a phantasmagoria. I see them in my dreams. I could have choreographed the election of 1975, the government of the future with those bloody cars running.

**Hon. Mr. Snow:** I hope you live long enough to see them.

**Mr. Givens:** You let me down.

**Hon. Mr. Snow:** I have every confidence in the ability of Mr. Foley and his staff, and the developments they have under way.

**Mr. Givens:** In this generation or the next generation?

**Hon. Mr. Snow:** As I say, Mr. Foley has put before me, as the minister responsible, the report of the completion of phase 1 and phase 2 of the intermediate capacity transit system. I have laid my report and my recommendations before cabinet and that's where they are at this time. As soon as a decision is made I will be making a full report.

**Mr. Cunningham:** As we've heard in the past, I'm sure that the reports—

**Hon. Mr. Snow:** Let me say a little more. I make no apologies for the \$6.1 million spent on the research and development of this technology to date. I happen to be a firm believer in the development of technology here—Canadian technology—which we will own, for a product which can be manufactured in Canada and hopefully most of it within Ontario, to serve the needs of the municipalities of Ontario and of Canada. As to whether we sell any in other places, I am not going to tell you that we are going to sell it in South Africa, Australia and all over the world. Maybe we will. I hope we will.



Mr. Givens: Make a prediction.

Hon. Mr. Snow: We will try hard.

Mr. Givens: Put yourself down on the list; make a prediction. When are we going to see something, physically or visibly? You are a man of action, a practical man. When?

Hon. Mr. Snow: I won't give you that date today.

Mr. Givens: Come on. I won't hold you to it.

Hon. Mr. Snow: Oh no, you wouldn't!

As I have stated, I put the project before my colleagues in cabinet. This is a government decision—

Mr. Givens: Within five years?

Hon. Mr. Snow: —and when it has been made, I will report on it.

Mr. Givens: I don't want to see a report. I want to see cars running.

Mr. Johnson: Are you conceding that we are going to last five years?

Mr. Givens: Oh well, just because the government is going to change doesn't mean that Foley's technology is going to go under.

Hon. Mr. Snow: We have invested \$6.1 million in this project to date. To most of us, that seems like a lot of money. When you start talking about this compared to the development of other technology, you hear all kinds of figures, like the \$100 million or something that the federal government has put into developing the Dash-7 aircraft. I don't know what the price is, but it's a lot of money regardless. However, I am not against it; I am all for it.

Mr. Givens: Then there is the \$16 million they spent on the Lockheed.

Hon. Mr. Snow: If they had invested that \$16 million with their own aerospace industry, I think they would have been a hell of a lot better off. As I say, I am not going to apologize at all for this \$6 million that has been spent, and I hope I get the necessary approvals to go ahead and spend considerably more money.

An hon member: The \$6-million man.

Mr. Cunningham: What about all the trees that were cut down at the CNE?

Hon. Mr. Snow: If you want to go back and rake all the old ashes out of the fireplace, we can do that.

Mr. Givens: The fact is we do an awful lot of talking about public transit and we really haven't done a great deal in the past 10 years, except for GO—

Hon. Mr. Snow: You want to go back to—

Mr. Givens: I'm talking about new technology.

Hon. Mr. Snow: All right. We have had our problems. The Krauss-Maffei failure was a serious setback to the whole system, but where else is anything better being developed or who else is developing anything? We have heard Mr. Foley report on the actions and announcements of the federal government about a Canadian transit development corporation. We heard great announcements by Mr. Trudeau during two election campaigns about what the federal government was going to do—

Mr. Cunningham: Well, we have had the GO into Hamilton for two elections, I think.

Hon. Mr. Snow: GO is in Hamilton.

Mr. Cunningham: Right through—an effective one.

Hon. Mr. Snow: That will be there too—

Mr. Cunningham: One more election.

Hon. Mr. Snow: The cars are being manufactured right now at Thunder Bay, by Canadians, in Ontario.

We have made a great improvement in public transit over the years. When I look at my municipality and I see the public transit system in the town of Oakville today, compared to what we had there five years ago, there's just no comparison. You know, Toronto has had the benefit of an excellent public transit system for many years; it was built up because the need was there. We can discuss this when we get into the municipal transit vote, but I believe we have 50 or 60 municipalities in Ontario that have public transit systems; five years ago, I suppose, there wouldn't have been 10 per cent or 15 per cent of those municipalities with what one would recognize as a public transit system.

Look at GO Transit: I recall very well meeting John Robarts and Charlie MacNaughton at the Oakville GO station on May 10, I believe in 1967, and riding on the first run of the GO Transit. That was quite a

modest service then as compared to what GO Transit is operating today, considering the increases in the ridership, the extra lines and the expansion into the buses.

[5:30]

Sure, I would like to see GO rail service right through to Hamilton. The technical problems with the railways have not allowed it, but it is on its way now.

We are getting off this vote completely, but when you say that we are not doing something on transit, I just say that you are not right.

I say we have had a serious setback and a serious disappointment with the failure of the Krauss-Maffei technology. It was new technology; there were risks involved. For the reasons that are obvious to you, the plan was cancelled—but we are not sitting on our haunches doing nothing at this time. We have been working; there are new streetcars under development.

**Mr. Givens:** When are they due to hit the streets?

**Hon. Mr. Snow:** They are under development at this time. Phase 1 and phase 2 of the intermediate capacity system have been completed. I hope we will have a decision in the not too distant future as to where we go from here on that.

The proposed involvement of Alberta has not come about, but Alberta has not lost interest. I had a meeting with Dr. Horner two months ago, and Dr. Horner and the Alberta government are still very interested in this programme.

But at this stage the Urban Transportation Development Corp. is a totally-owned Ontario project. I, as Minister of Transportation and Communications, am the only shareholder, holding all the shares of the corporation on behalf of the people of Ontario. As far as I am concerned, right at this time it is going to stay that way until we see a little better when certain other decisions are made.

**Mr. Cunningham:** Mr. Chairman, just a few more questions. What do you estimate we have lost as far as the cost value, in that we have delayed now five years in the implementation of this programme?

**Hon. Mr. Snow:** We haven't delayed five years. All that time, other projects were going on.

**Mr. Cunningham:** Or, a programme.

**Hon. Mr. Snow:** The Spadina subway has been built. We are spending \$93 million or \$94 million on the Spadina subway this fiscal year.

Let's look at the money we have spent on transit over the past three years. These are rounded figures, but we spent \$79 million on municipal transit in 1974-1975. And it was \$129 million in 1975-1976.

In these estimates, in round figures, it is about \$168 million. And let us realize that a few years ago there was no provincial financial involvement at all in municipal transit.

I am sure Mr. Givens probably can recall it better than I can, but I believe the first involvement was when Mr. Frost made the decision to subsidize the TTC on the road-bed portion of its subways—comparing it to a subsidy for a highway or a street.

That was the first involvement to my knowledge. Now here we are—and not counting the provincial transit programme, GO Transit or anything—with \$168 million as our contribution to municipal transit this year. So, you can't say that there has been five years lost in transit.

**Mr. Givens:** That was the whole principle behind combining the Spadina Expressway and the subway. It was the provincial sharing of the cost of purchasing the land. The government said: "Acquire the extra land and we will pay 50 per cent of the cost of the acquisition of the land for the expressway as well as the subway, on the basis that it is a road." That's how it all got started.

**Hon. Mr. Snow:** Now, we have not got trains, with or without wheels, running around the sky at this time.

**Mr. Cunningham:** That wasn't my question and I wasn't taking you to task on the subway system here in Toronto which I believe to be excellent.

My question was related to Krauss-Maffei and to a more modern type of technology. I will probably be a lot older and a lot greyer before I ever see this thing. I just wonder what the cost is because—

**Hon. Mr. Snow:** There are going to be costs, but let's look at the possibility of the advantages. It costs, Mr. Foley, how many million dollars a mile to build a subway today—\$60 million?

**Mr. Foley:** TTC passed two estimates for about three miles in total which came to \$140 million for the two extensions. It would be

somewhere between \$40 million and \$50 million easily.

**Hon. Mr. Snow:** The Spadina is how long?

**Mr. Foley:** I think it's 6.1 miles.

**Hon. Mr. Snow:** And it's \$200 million and some—

**Mr. Foley:** Depending upon the construction, it will range from \$40 million to \$50 million a mile.

**Hon. Mr. Snow:** It varies depending on how much is tunnel and how much is—

**Mr. Givens:** Everybody is insisting on tunnelling now and nobody wants to have it out in the open. It's a subway that is going out of sight now.

**Hon. Mr. Snow:** We know from the TTC, we know from Metro, we know from our own information that full scale subways are just getting too expensive.

**Mr. Givens:** They are out of sight.

**Hon. Mr. Snow:** They are just too expensive.

**Mr. Givens:** Everywhere in the world.

**Hon. Mr. Snow:** We have to develop a new system. If we don't do it, as the government of Ontario and my ministry, who is going to do it? Nobody is. That, I think, is the point right here. No one else is doing it.

Was it you who asked me a question in the House the other day on whether I thought private enterprise was in a position to do this? I am a great believer in private enterprise but I don't think, if I were in any of the companies capable of this, that I would be prepared to put the money into it knowing there is only one customer and so on and so forth.

I think there is a great risk involved that way but I think the federal government is doing nothing despite all the promises it made in the two elections. You are familiar with them—probably more familiar with them than I am—but none of them has been lived up to.

I read a CP wire thing I got in my office the other day about some further statement out of Ottawa saying there would be some plan announced in the next six to eight weeks relating to urban transit and subsidies for vehicles totally within Metropolitan Toronto areas or something like this.

That is very vague. There have been all those announcements of a \$300 million pro-

gramme in 1972 and another \$100 million programme in 1974, I think it was. We went ahead and bought the 80 double-decker cars for the lakeshore line and assumed, with the terms of reference or the announcement made about the 25 per cent subsidy for rolling stock for transit, that it would have applied to those new cars—it doesn't. We were told, for no reason, it doesn't apply. If our cities in Ontario or in Canada are to have any new equipment the only way is for us to make the investment to develop it.

**Mr. Givens:** Meanwhile, operating costs are running away—your operating costs are just going out of sight, too. If you are going to put in the capital investment, and if you are going to have two fares for \$1 and you want to discourage people from driving their cars you are going to have to subsidize more.

**Hon. Mr. Snow:** Let's get into that when we get into the urban transit vote. I would like to discuss at great length with you the subsidies for transit but it is not in this particular matter.

**Mr. Cunningham:** I want to leave with you these statistics which I had given to me by somebody who is very familiar with the rail aspect of it.

We all recognize we can't just keep building highways. The statistics I have show a single track can handle 40,000 passengers per hour while one highway lane can handle 1,200 cars per hour. Rail cost is \$300,000 per mile; highway cost varies—you are very well aware of these figures—anywhere from \$2 million up to, in some urban areas, \$5 million per mile. That has to be the guts of it right there. Are those figures not correct?

**Mr. Foley:** I don't know how you want to use them but I don't consider them to be—

**Hon. Mr. Snow:** You can come up with all kinds of figures. I suppose if you are building a railroad across level prairies it is one thing; if you are building it through built-up areas it is another thing.

**Mr. Cunningham:** The point I am trying to make is that generally the case can be made very effectively that the cost of building rail facilities is much cheaper than appropriate and similar highways.

**Hon. Mr. Snow:** Certainly, but that is not going to do away with the need for highways.

**Mr. Givens:** You can use the highway 24 hours a day but you can't use the rail bed 24 hours a day.



**Hon. Mr. Snow:** You still have things called trucks.

**Mr. Givens:** Fifty per cent.

**Hon. Mr. Snow:** You still have to get into a city like Toronto, Hamilton or Ottawa. You are going to have industry. You are going to have jobs. You are going to have commerce. You have to have trucks getting in and out of that—

**Mr. Cunningham:** How much fuel do we waste in the rush-hour every day? You live in an area affected by that, albeit you don't have to drive in it yourself.

**Hon. Mr. Snow:** I drive in it myself.

**Mr. Givens:** Don't knock it. Maybe you will be in that position some day.

**Mr. Cunningham:** I don't. I wouldn't knock it, I want to tell you. The way I drive, it would be of benefit to the people of Ontario. But, really, we have people backed up mile after mile burning gasoline. I saw in estimates last year—

**Hon. Mr. Snow:** You should ride the GO train then.

**Mr. Cunningham:** I go in so early in the morning and come out so late at night.

**Hon. Mr. Snow:** The GO train runs pretty long hours.

**Mr. Cunningham:** Not when I go home it doesn't. Dennis Timbrell suggested that, too. Maybe we need another election to have it extended to Waterdown, I don't know. I put this to you. I think we are running out of petroleum resources at this time—at least, the resources we have right now are limited, to say the least—and from this discussion this afternoon, we are lagging so far behind really in developing the kind of—

**Hon. Mr. Snow:** I don't know what more I can say. I have told you we had a setback in the Krauss-Maffei situation but that doesn't mean to say we sit on our fannies and do nothing for ever. We haven't. We have made great improvements in transit, in GO—the announced commitment to GO for the additional lines and additional improvements in the next three years is on the record.

**Mr. Foley:** Mr. Chairman, it might help to refer to what has happened in Ontario in terms of where we are with respect to other jurisdictions.

In the total United States in the last two decades there have been two rapid transit

systems built; one in San Francisco called BART and the other is four miles of subway system in Washington. I could only refer the hon. member to Mr. Petrocelli, who is the administrator of the urban mass transit programme in the United States—I would be very happy to make that connection for you—who about two months ago came to Toronto and indicated that he does not know of any other jurisdiction which is doing two things: Investing in transit and researching in transit.

With respect, I would submit that perhaps the Canadians are substantially ahead in terms of implementation of transit and we certainly feel that we are substantially ahead in terms of research in transit, albeit we may yet have technical difficulties we shall have to overcome.

**Mr. Cunningham:** Mr. Foley, with respect, we are great little researchers and spenders of money but really I don't see the appropriate action. Their feeling in the United States in this regard is of very little concern to me right now. I know our function here is in the Province of Ontario. I say to you that within the next couple of years, as a result of the ramifications of the cost of housing here in Toronto, centralized tendencies here in Toronto, the increased cost of petroleum and more and more people driving, we are going to have some real problems. We have to become less research-oriented and more action-oriented or we are going to be faced with a crisis.

**Mr. Laughren:** Mr. Chairman, I want to ask the minister if he is familiar with the report prepared by Peat Marwick and Partners for the ministry on urban transportation for the disabled in January, 1975?

**Hon. Mr. Snow:** If I may, we are trying to deal with the UTDC.

**Mr. Laughren:** I thought we had completed that.

[5:45]

**Hon. Mr. Snow:** If you're completed with Mr. Foley, fine; we'll go on to the rest of the vote. But I'd like to complete—

**Mr. Laughren:** I am.

**Mr. Wildman:** We have no more questions for him.

**Mr. Chairman:** Does item 3 carry?

**Hon. Mr. Snow:** Oh, no, there are a lot of other things. All we need to do is to say that we're completed with the UTDC and Mr. Foley, if that's all right.

**Mr. Laughren:** Yes, we're prepared to say that.

**Hon. Mr. Snow:** You may go to Ottawa, Mr. Foley. Thank you very much.

**Mr. Laughren:** Okay, Mr. Chairman? I'll repeat my question then to the minister.

**Hon. Mr. Snow:** I'm not so sure this is the right vote for this particular item.

**Mr. Laughren:** It has to do with planning and research.

**Hon. Mr. Snow:** Okay, we can carry on with it anyway.

**Mr. Laughren:** I was asking whether or not he was familiar with the urban transportation for the disabled report by Peat Marwick and Partners for the ministry in January, 1975. The first question is whether the minister is familiar with the report.

**Hon. Mr. Snow:** I have not seen the report personally. I know we have a working group on transportation for the disabled, headed up by Mrs. Birch, and my ministry is involved on that group. Mr. Johnston is familiar with this report.

**Mr. Laughren:** I'd like to quote just one thing from the report, on page 10:

In reviewing Ontario policies, we have begun with the Ministry of Transportation and Communications. At present, with two minor exceptions, there is no specific programme in this ministry to improve transportation services for the physically handicapped.

I believe that when they talk about "two minor exceptions" they're talking about a TTC project and, I believe, in Ottawa, an OTC project. Am I right?

**Mr. G. H. Johnston:** Yes, there was a programme started in Ottawa, I believe it was under a LIP grant originally, and it was taken over locally. There is a project of a limited scope under way in Toronto right now. I'm not sure whether those are the two he's specifically referring to, though, in that document. What is the date of that document?

**Mr. Laughren:** January, 1975.

**Mr. G. H. Johnston:** I'm sure he must be referring more to programmes of the Ministry of Community and Social Services.

**Mr. Laughren:** No, he's talking about "two minor exceptions"; he's talking about the MTC.

**Mr. G. H. Johnston:** Okay, fine.

**Mr. Gilbert:** I think we had the two demonstration projects.

**Mr. Laughren:** I was wondering just what has come out of those? That's a year ago now.

**Mr. Gilbert:** The minister mentioned—

**Mr. Laughren:** I'm having trouble hearing you, I'm sorry. There's a conversation going on here.

**Mr. Gilbert:** As the minister mentioned a few minutes ago, yes, on those demonstration projects we have been working with the Ministry of Community and Social Services and have supplied input to that. But at the present time, no decision has come out as to where we are going as far as transportation for the handicapped is concerned. Really, we're only part of this. You could argue it both ways, whether it's a social service or a transportation service. Certainly we supplied some funding—

**Mr. Laughren:** Do you know how much?

**Mr. Gilbert:** I don't know how much was involved in those two.

**Mr. G. H. Johnston:** In Ottawa, we were not involved in that particular one, but in the Metro one I believe it was—I'm sorry; I can find out.

**Mr. Laughren:** What I was really wondering is whether or not the ministry had compared the results of the studies in Ottawa and Toronto. It seems to me you have two options if the ministry is going to get involved. One, as the report points out, is adapting the existing transportation facilities for the disabled, or secondly, developing a parallel system for the disabled, in which case they're picked up and taken to work or whatever. It seems to me that MTC at least should have a say in developing that kind of policy.

**Mr. Gilbert:** We have certainly supplied input to that committee.

**Mr. Laughren:** Can you just tell us what are the views of the ministry? Which of those two directions do you see as being the best one?

**Mr. G. H. Johnston:** The parallel system seems to have an awful lot more advantages than trying to modify the existing system. I think you may be aware that in the States, in Washington as an example, they have gone the other route. It's very expensive and

very costly. So from a cost effectiveness point of view it's probably better to go with the parallel system.

**Mr. Laughren:** I'm sort of bothered because it seems to me this is one of those issues where it could just sort of sit there and simmer and reports could be done, such as this one. This is a fairly extensive report, a comprehensive one. They make the case very strongly and I'm wondering—it is a year and a half later and are there any concrete results at all? The study was commissioned by this ministry, I believe, and I'm wondering what you've done with it since then? What has come out of it? What has flowed from that?

**Hon. Mr. Snow:** A government decision has been made that—as I understand it; it is before my time—the whole matter of transportation for the handicapped involves several ministers and it would be co-ordinated by the Provincial Secretary for Social Development (Mrs. Birch). We have people on that committee. There are different aspects and we have done some work, I think, through UTC in developing a small bus with an hydraulic type of thing specifically designed for wheelchairs and so on. I think perhaps that is the role in which we can be of assistance.

I think it has a relationship to a social service perhaps more so than a transportation matter. We will help in every way possible but I don't think we, as a ministry, should be involved directly in supplying transportation for the handicapped all over the Province of Ontario. It would be an insurmountable task.

There are many ways of doing this. I know in my own area service clubs have got together and bought mini-buses and manned them and so on. The Lions Club of Milton bought a van especially equipped for wheelchair people and they run a service—

**Mr. Laughren:** I'm familiar with those projects.

**Hon. Mr. Snow:** In Oakville, the Rotary Club started when John Black had his football accident; he has been crippled ever since and they've been supplying him transportation for 25 years, I guess. That's one aspect. There may eventually be recommendations—I have no idea what they may be—maybe there will be some programme with the municipal transit authorities to supply special equipment for the handicapped. We might be involved if it was decided

that any subsidy for that type of a service should be routed through this ministry to the municipal transit people.

**Mr. Laughren:** Certainly you could provide some incentive to the municipal transit authorities by the very fact that you subsidize their public transit. You do have, at least potentially, a major role in subsidizing something like this. I'm talking about a real incentive—

**Hon. Mr. Snow:** This ministry and our programme of public transit through municipal transit could be the vehicle for subsidizing municipalities.

**Mr. Laughren:** Right. Do you have any money in your estimates this year at all for subsidization of the disabled?

**Hon. Mr. Snow:** No. We have a lot of money for subsidizing municipal transit but we have no specific money in these votes for any special projects for the handicapped.

**Mr. Laughren:** Surely it would be possible to build in some kind of incentive for the municipalities—

**Hon. Mr. Snow:** I think we are awaiting the report of this task force of Mrs. Birch's and its recommendations as to how this may best be done.

**Mr. Laughren:** Okay. Thank you.

**Mr. Wildman:** Is it appropriate for us to deal with the study on freight rates in northern Ontario, under this vote, under research?

**Mr. Gilbert:** Under planning, Mr. Wildman.

**Hon. Mr. Snow:** Yes.

**Mr. Gilbert:** Under planning, 2402-2.

**Mr. Chairman:** Is there any further discussion on 2402, item 3?

Item 1?

**Mr. Wildman:** No. 2.

**Mr. Chairman:** You'd rather discuss item 2?

**Mr. Wildman:** It doesn't really matter. You can carry it if you like—I don't have any questions on item 1—unless anyone else does.

**Mr. Chairman:** Is there any discussion on item 1? On item 2.

**Mr. Wildman:** I wanted to deal with a couple of things in the executive summary of this report dealing with freight rates and



related problems. I'll go on past the 6 o'clock hour. I don't know whether you want to adjourn now or do you want me to start and go for five minutes?

**Mr. Chairman:** May as well.

**Hon. Mr. Snow:** We can do a lot in five minutes.

**Mr. Wildman:** I am interested in some of the recommendations that are made and how they relate to a draft I have here, I believe it is a draft—an internal document of the ministry which was prepared as part of the study—on the so-called internal recommendations; that is, ones that could be dealt with by the provincial government in dealing with the problem that freight rates present for the north.

The government, in this study, recognizes that the sales tax on the total retail price of goods that includes freight costs presents northerners with a double penalty. It says on page 6 of the executive summary: "First, they pay more for transportation cost of goods; secondly, they pay sales tax on transportation costs."

**Hon. Mr. Snow:** That depends; in many cases, yes, that is right.

**Mr. Wildman:** This is a generalization.

**Hon. Mr. Snow:** It depends whether you buy your goods—but at the retail level, if the cost of transportation is part of the cost of the goods, then you are paying tax on the transportation.

**Mr. Wildman:** Right. I understand that the draft stated:

The Ministry of Revenue should be approached to develop a solution to the added disbenefit absorbed by the northern consumer who pays tax after transportation charges have been included in the retail price.

However, the executive summary, which was tabled, says something quite different. It says:

The government should publicly acknowledge the added disbenefit absorbed by those northern Ontario consumers who pay after transportation charges have been included in the retail price of their purchases. It should be pointed out that this disbenefit is offset by other northern tax benefits which accrue to all northern municipalities and are designed to compensate for higher living costs in the north.

Basically what you are saying is that we should acknowledge that this is a problem, which is really a big help. Then you try to justify your decision, or your lack of decision, not to do anything about it by saying that we are compensated because northern municipalities get higher grants.

**Mr. Laughren:** That's to make the report a little acceptable.

**Hon. Mr. Snow:** Well, if you want to talk about sales tax administration, we have pointed this out as part of a disparity—

**Mr. Wildman:** My question deals with your study.

**Hon. Mr. Snow:** I have no jurisdiction over what—

**Mr. Wildman:** I understand that.

**Mr. Laughren:** Why the difference?

**Mr. Wildman:** That's my question. I realize that the adjustment of the sales tax is under the jurisdiction of the Ministry of Revenue; there's no question. But I would like to know the reason why in the original it said the Ministry of Revenue should be approached to develop a solution.

**Hon. Mr. Snow:** I don't know. Mr. Summerville can comment on that, but I would think that everybody would realize it is an impossible situation.

**Mr. Wildman:** Just a moment, I think first of all the idea of higher municipal grants has nothing to do with higher retail prices for consumers directly. I would just like to know what was the reason for the change? Why didn't the government look at the possibility of changing the sales tax to compensate residents north of the French River? You have a dividing line; you have what you consider to be your northern district. Is it the fact that the Ministry of Revenue is intransigent and refuses to do anything about this? Or what is the reason?

**Mr. Gilbert:** Mr. Chairman, I would like to comment on this and perhaps someone else would like to supply more details. Quite frankly, this is the purpose of the draft report. So often draft reports are put forward and someone says, "Why didn't you follow this?" or, "Why didn't you follow the other?"

[6:00]

But the whole point is, when someone is charged with the responsibility of looking at a number of things, they do that, they come

up with a draft report, it is put forward to the various people, the interested bodies, and discussions take place along those lines. That's how you end up with a final report. I don't think that is any more unusual to this report than to many others.

**Mr. Wildman:** I don't disagree with anything you've said. My question is, after you went to everyone else, why did you come to the conclusion that you couldn't do anything about it?

**Hon. Mr. Snow:** I recall, when I was on a committee one time, we were to prepare draft recommendations and all kinds of things. We discussed them, refined them and if you compared what was in the draft recommendations to what was in the final report—

**Mr. Wildman:** No, I'm not saying that or giving any criticism of the draft report.

The committee recessed at 6:02 p.m.

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**Ministry of Transportation and Communications officials taking part:**  
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 Gilbert, H. F., Deputy Minister  
 Johnston, G. H., Executive Director, Planning Division





Government  
Publications

# Legislature of Ontario Debates

**SUPPLY COMMITTEE—2**

**ESTIMATES, MINISTRY OF THE  
SOLICITOR GENERAL**

**OFFICIAL REPORT — DAILY EDITION**

Third Session of the 30th Parliament

**Thursday, June 10, 1976**

Afternoon Session

**Speaker: Honourable Russell Daniel Rowe**

**Clerk: Roderick Lewis, QC**

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## LEGISLATURE OF ONTARIO

### SUPPLY COMMITTEE

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THURSDAY, JUNE 10, 1976

The committee met at 4:55 p.m. in committee room No. 2.

#### ESTIMATES, MINISTRY OF SOLICITOR GENERAL (continued)

On vote 1501:

**Mr. Chairman:** We are on item 1, main office. Any comments?

Item 2 is the ministry office secretariat. Any comments?

**Mr. Singer:** I'd like to ask the minister about the extent to which the secretariat might overlap the work done in the office of the Provincial Secretary for Justice. I have never been able to understand how the both of them work. I have read what the minister's people have written in this book about the secretariat—and it seems to make fairly good sense—but isn't there a great deal of repetition between this and the office of the Provincial Secretary for Justice Office and a similar kind of operation in the Attorney General's office?

**Hon. Mr. MacBeth:** Mr. Chairman and members of the committee, yes, there is a certain amount of duplication. The way they operate is that each ministry—and, as you know, there are four in the justice policy field, develops its own programmes and presentations, which go from there to the Justice Secretariat, which may or may not make comments on them and which co-ordinates and prepares them for the justice policy field. In fact, the secretariat acts as a secretary in co-ordinating them; but, in addition, the secretariat from time to time puts forward its own propositions, of a little broader nature, which overlap all fields. So when you ask, "Is there any duplication?" I'd say yes, there was some duplication. Mr. Russell, maybe you can expand or detract from what I have said.

**Mr. Russell:** I don't think I can add too much, Mr. Minister. We are more of an operating ministry and, in terms of the problems we deal with, our secretariat will deal

with the operating branches of our ministry. A problem can come up in the secretariat which will involve our ministry and possibly two or three others. It might involve a ministry that doesn't even belong to our secretariat. In that case, I think the secretariat gathers the information from the various areas—I'm thinking of the drinking-driving and so on in which we took part, along with MTC—and it's all pulled together through the various secretariats. We add to it from the Solicitor General field, and it's fed into the Secretariat, which puts it together. They also, as I say, get information often from other secretariats and work together at that level.

**Mr. Singer:** Mr. Chairman, I am constantly amazed at the language that one hears in these reports and the explanations for them. When I look at the figures, and I get two admissions—one from the minister and one from the deputy—that there is duplication, I just wonder when we are going to start nibbling away at some of these costs. This is supposedly a time of restraint, yet there is \$380,000 for the ministry office secretariat and \$459,000 for justice policy.

When we had a Provincial Secretary for Justice, who did not have another portfolio, and he had nowhere to hang his hat, no executive assistant, no secretaries and none of the other things, maybe there was an excuse for that. But it would seem to me, when the Solicitor General has this budget—and I haven't heard him suggest that he is being so strapped he is not going to be able to carry on his business; he has his large secretariat, the Attorney General has his equivalent people as do the Minister of Consumer and Commercial Relations and the Minister of Correctional Services—that perhaps we might just chop off one of these things.

When you want to meet as the Provincial Secretariat for Justice, since the Solicitor General has this additional responsibility, perhaps you could peel off one or two of your people for a day or two or a week or two and have them function as your advisers, along with their equivalent members in the



other ministries, and maybe we could even save \$459,000 of the justice policy estimates.

[5:00]

**Hon. Mr. MacBeth:** Mr. Chairman, if we could do that I would certainly like to do that. But when I say there's a certain duplication, duplication in the sense that the secretariat, the justice policy field, puts the various submissions together from each of the respective ministries. If you didn't have the justice policy field looking at these things and just the operating ministry alone taking a look at it, there wouldn't need to be the justice policy secretariat at all, it could go right from the operating ministry to the cabinet.

But that brings up the whole problem, or the whole question, as to the validity of having these policy fields. To my way of thinking the policy fields are working out. It is a good exchange of view and many times or generally speaking, rather than saying many times in most cases, the proposal that comes through from the operating ministry is altered in some way or another before it goes on to cabinet by the discussion that takes place by the ministers and their deputies at the policy field level. So I think the policy field is a helpful step in the process and that the money involved warrants it.

We have cut our own operating ministry here as low as we can—I think our figure in personnel is somewhat less this year than it was last year, is it not, Mr. Russell? Do you have our figures there for personnel complement?

**Mr. Russell:** The secretariat was nine people; and it is now going to 10.

**Hon. Mr. MacBeth:** Yes, I see the secretariat is up one actually; it was my own office that was down from last year. I think my own office, when I say that I'm looking at the main office, was eight last year and six this year. But in the secretariat there is an increase of one.

**Mr. Singer:** I'm afraid, Mr. Minister, you and I must disagree on yet another topic. I think the most useless appendage we have around here are the secretariats. They are duplications and redundancies, and I think there was a recognition of this even by the government when they decided it wasn't necessary to occupy the full-time efforts of a minister. That was the original theory, and as one has watched these things the importance attached to them by the Premier (Mr. Davis) seems to have diminished proportionately to the excess expenditure and the excess volume of reports from doctors of philosophy.

I just don't believe they are necessary. We'll argue that a little more forcefully when your secretariat estimates come up; but I think, again, it is established when you look at the ministry office secretariat and you look, in addition, at the justice policy office, you find that there is \$459,000 there and here you want \$380,000. I'm sure you could do away with that whole justice secretariat and perform at least as effectively, probably even more effectively.

**Mr. Chairman:** Further comments with respect to item 2, vote 1501?

**Mr. Roy:** Just a minute; that's the main office?

**Mr. Chairman:** The main office has been carried, we're on the second item, ministry office secretariat.

**Mr. Roy:** We're not talking justice policy here; it's Solicitor General, is it?

**Mr. Kennedy:** Solicitor General; this is the justice committee.

**Mr. Roy:** Okay, don't get smart; I just asked a few questions, I can't be in all places at once.

**Mr. Chairman:** I take it, then, that item 2 is carried.

On item 3, financial services.

**Mr. Singer:** What do the financial services do?

**Hon. Mr. MacBeth:** Mr. Gow, I think it's very appropriate you're right here and the chief in charge of them.

**Mr. Gow:** Financial services branch carries out all the financial administrative work for a ministry as a whole, including the OPP; for all agencies and programmes of the ministry.

**Mr. Singer:** Do you do the buying?

**Mr. Gow:** Yes.

**Mr. Singer:** Do you buy automobiles for the OPP?

**Mr. Gow:** Yes.

**Mr. Singer:** How is that done now? There was some doubt in my mind when it was done by the OPP themselves. Tell me how you buy automobiles for the OPP.

**Mr. Edwards:** The specifications for the vehicles are prepared in the Ontario Provincial Police transport branch, the specifications

and the requisition for the vehicles sent to the purchasing section of the financial services branch. We take the requisition and, in accordance with policy which is followed throughout the government, we send the requisition to the Ministry of Transportation and Communications, which I believe invites tenders from the various manufacturers, and in that way we receive our vehicles in due course.

**Mr. Singer:** You lose track of them after they go to Transportation and Communications?

**Mr. Edwards:** That is right. The orders are placed by the Ministry of Transportation and Communications for all government vehicles.

**Mr. Singer:** Do you know if they're placed directly with the manufacturers or are they funnelled through certain dealers who get commissions?

**Mr. Edwards:** I believe the orders are placed with the manufacturers but they designate the orders, if I'm not mistaken.

**Mr. Singer:** Do you have any role in that? I have always been puzzled by that. You ask for tenders from the manufacturers and then certain dealers get designated by some mysterious process, however the process works.

**Mr. Edwards:** We don't have any involvement in that whatsoever.

**Mr. Singer:** But if you're responsible for the purchasing, shouldn't you be involved?

**Mr. Edwards:** I can't really comment on that, because it's a government-wide policy that all vehicles are purchased by Transportation and Communications.

**Mr. Singer:** Yes, but you allocate so much money. Wouldn't it stand to reason that, out of the money that is spent by your branch, if you aren't paying a commission for something that has already been determined you would be spending less money in your branch?

**Mr. Edwards:** The actual funds for this are included in the Ontario Provincial Police transport branch budget. We simply handle the paper work for the purchasing.

**Mr. Singer:** I recognize that, but somebody has to figure out how much money you put in. If the tenders are received from General Motors, Chrysler, Ford, perhaps even Datsun and Toyota and all these others, why do they get funnelled through dealers who have had

nothing to do with the selling process and the dealers get commission?

**Mr. Edwards:** I don't really know. I can't answer that question.

**Mr. Singer:** All right.

**Mr. Chairman:** Item 3? Any further comment? Carried. Item 4? Carried. Item 5, planning and evaluation.

**Mr. Roy:** I would like to ask some questions of the minister on planning and evaluation, Mr. Chairman. My questions deal with a matter which certainly should come under this item—the question of Sunday closing, or the day of rest as they call it.

I would like to ask the minister if he intends to bring in any amendments to that Act and how he intends to deal, for instance, with a situation in Windsor where a grocery store owner has felt he had a loophole? He had a large store and, by having movable partitions, he ended up opening on Sunday by moving these partitions around to cut it down to something like 2,400 sq ft, which I think is the area we allow under that Act, where his store would normally be something like 12,000 sq ft.

Of course he would cut down the number of employees. I think you are allowed only three employees, so he would bring in three employees, and with the series of movable partitions he feels he has a loophole. The press reports seem to indicate that the police, having looked at the situation, feel that no charges are to be laid.

Do you feel, Mr. Minister, that he has found a loophole? If he has not, then why are charges not being laid against this gentleman? Obviously other large stores are complying with the law.

Secondly, if you feel he does have a loophole, do you intend to bring any amendments to this Act, which comes under your ministry, and I would feel would come under this matter of planning and evaluation?

**Hon. Mr. MacBeth:** First of all, I think you were asking whether we planned any amendments. The Act is presently going through a trial period. I think there are one or two fields where we will want to bring in some amendments. I have had various representations made from members from all sides of the House for things they would like reviewed. My answer to them has been, let's see how it works for at least a year. A year would bring it out this fall some time. I think that's a reasonable trial period.

On the whole, the Act has been reasonably accepted and is functioning pretty well. There have been one or two test cases. There was a test case in regard to car washes on Sunday. The court upheld that. We were quite content to abide by the original court hearing. There is a case, I understand, where the decision on selling dog food came within the judge's idea of a food store. We are not content with that. I understand our law officers are presently appealing that.

As for movable partitions being a loophole, we considered that when the bill was reviewed here in committee. It was decided that that was quite a reasonable thing to do. If they wanted to cut off part of their store so it wasn't accessible to the public on Sundays and bring it down to 2,400 square feet, there was nothing the matter with that. The point is did they bring themselves within the restrictions of the law that says it will not be accessible to the public on that day of operation?

That is not something that has suddenly appeared. It was actively considered by the committee when it reviewed the proposed law at the time it was referred to it.

As it being a loophole, I don't regard it as such, but as a possible position that somebody has actually taken and worked out, well, we discussed it in regard to a drug store across the street at the new Hydro building. That was one of the things we suggested to the man. He claimed the store was on two levels. We said, can't you cut part of it off on Sunday? I don't know what he is doing but that was the suggestion that was made to him at the time.

So yes, we propose to look at amendments after we have had a year's experience with it; secondly, I don't regard the movable partitions as a loophole to the law.

**Mr. Roy:** I am not sure I understand.

**Mr. B. Newman:** That's leaving it wide open.

**Mr. Roy:** Yes, I'll say so.

Let me be more specific. You say you don't consider it to be a loophole to the law. It's something that the committee in discussion of the bill at the time thought about and was prepared to go along with. Unfortunately, I guess I wasn't sitting on the committee at that time. It just seems to me, as my friend from Windsor-Walkerville has said, it leaves it pretty wide open. Secondly, it is making a farce of the whole process. I see all these large stores and all they have to do is get a bunch of movable partitions and—

**Mr. B. Newman:** Curtains.

**Mr. Roy:** —curtains or anything else and they could all open up on that basis, I suppose. It would be frustrating the very purpose of the law, I suggest to you. I thought the intent of the legislation was to allow individuals to go shopping at their little corner store for any items necessary on Sunday. I never thought the legislation was to allow the performance on Sunday of smaller stores all over the darn province or to allow larger stores to cut down with movable partitions on Sunday.

**Mr. B. Newman:** They become smaller stores on Sundays.

[5:15]

**Mr. Roy:** Yes. It seems to me it is making a bit of a farce of the whole process of the law itself. I would suggest to you that surely it was never the intent of the legislation—as it was conceived and as we thought about it as being the sort of legislation that would propose a slowdown in the economic and business activities of these large stores or any other business operations on Sunday—that they could get around the law simply by getting movable partitions and cutting down the numbers of their employees.

I suggest to you that we should think about amendments and that we should give serious consideration to these amendments—that is, if we're serious about having that type of law. I felt at the time when we originally discussed this legislation that there would be loopholes, that there would be people trying to skirt around it because we had left some areas that were pretty wide. If you feel he's getting away with something quite legally, that he can't be charged for what he's doing, then let's bring on some amendments, I suggest to you. I disagree with you that this is the type of activity we should encourage by letting him operate.

**Hon. Mr. MacBeth:** I am not so sure I want to encourage it either. I'd like to see as many stores as possible closed on Sundays and holidays, with the idea that as many people as reasonably possible can have a definite day's holiday with their families. The idea was that it would be a uniform day on which the majority of the people in the province could say, "That's a holiday and we can do things together."

Being consistent with that is the whole philosophy of the Act. If you're going to have a day on which people can go out as a family, then what is the family going to do? We left some sort of things that they could do,



such as getting gas for their car and forms of recreation that they could do together. So you immediately have that inconsistency in the Act and it presented problems all the way along.

But we didn't try to tell chain operators they could or could not operate on Sundays. We didn't try to limit it by who owned the store. We tried to cut it down by the size of the operation and the number of employees. So if Loblaws decide that they want to partition off 2,400 sq ft of their store, make the other part inaccessible and keep their employees down to three in that operation, they are just as entitled to do that as any other corner store.

I think in fairness to everybody involved, that's the only way we could operate. We certainly didn't go to Loblaws or A & P and say, "Chain stores as such can't operate." We know many of the little stores that are opening are, in fact, chain stores. Our approach, and the approach of the Legislature, was to limit it to small operations by the square footage they were entitled to use and the number of employees.

**Mr. Roy:** As I understand your comment, maybe I missed the whole purpose of the original legislation. Was the purpose of the legislation to allow smaller stores to operate on Sundays? In other words, I thought the purpose of the legislation generally was to slow down economic activity and sort of have a day of pause. All you're saying is, "Maybe so, but all we're doing is cutting down on the size of the stores for Sunday. There can be as many stores open across the province as before."

I agree with you that we could not discriminate as to who owns a store; but on the other hand, if you say that all we were doing and the thing we were acquiescing in was simply a move whereby, if all these stores on every street right across the whole province want to get themselves some partitions or some mechanism where there is some sort of artificial or other barrier so people can't go to the other side, they can get away with operating on Sunday, don't you see some inconsistency there?

**Hon. Mr. MacBeth:** I say there's great inconsistency in the whole Act in allowing anybody to operate. The idea, as I say, was that we wanted people to be able to enjoy themselves and to have their emergency supplies looked after. I don't think it would have been acceptable at all to say all stores, in the way of food stores, close down on Sundays and holidays. The survey that was

made prior to the bringing forward of this legislation was that people wanted, on Sundays, the convenience of milk and canned goods and things of that nature.

**Mr. Roy:** Yes.

**Hon. Mr. MacBeth:** We tried to say, "All right. We'll keep those stores small and we'll do it so that they're emergency supplies only and it will be done by allowing only three employees and 2,400 sq ft.

If somebody wants to bring themselves within those parameters for Sunday operation or holiday operation there's nothing to stop them from doing it. The committee foresaw that possibility. That's why I'm saying that at least I don't regard it nor does my ministry regard it as a loophole in the legislation when it was actively discussed and seen not only as a possibility but a probability.

**Mr. Roy:** I don't want to pursue this ad infinitum but I do want to make further comments on this. The reason, I suspected, for directing our attention to stores of 2,400 ft and three employees was that, as a practical matter, most small corner stores fitted within these criteria. The legislation was reflecting evidence of the fact which existed out there in the community.

I suggest to you that by doing that we were making an exception to satisfy a public demand, saying: "If you want to buy a jug of milk or some pop at the corner store surely he shouldn't be forced to close on Sunday?" Having in mind that we wanted to slow down economic activity, we're not going to succeed very well if everybody starts getting these partitions and all we get on Sunday is a store full of partitions instead of the 12,000 sq ft.

I'm saying that maybe we should direct our attention, if we're serious about this legislation and we don't want to be laughed at—God knows there's enough legislation that people laugh at and they say the law is an ass. This is an example of setting out to do something and in the process seeming to acquiesce to a mode of action which is going to frustrate the very purpose of this legislation. Maybe we should look at other criteria as to what economic activity we're going to allow on Sunday. I have one further comment on the question of store hours.

**Mr. Singer:** Are you leaving Sundays?

**Mr. Roy:** I'm leaving that specific one. I wanted to ask the minister whether he's giving consideration to allowing other types of activities on Sunday. If you recall, when

we were discussing the bill we made exceptions for people selling antiques, flowers, vegetables and so on. I don't know whether other members have received any complaints but I've received complaints, for instance, from people who are in seasonal businesses such as swimming pools and accessories; and, as my friend mentioned, there are snowmobiles, too. I suppose that is the other way around for winter. Apparently some of these people have concerns.

They didn't appear before the committee but I think we can understand for instance, that swimming pools and accessories are something quite seasonal here and they feel they're being discriminated against somewhat by having to close on Sundays. I wonder if you have received any complaints of that or if any other type of activity has made submissions or recommendations or complaints to the minister.

**Hon. Mr. MacBeth:** Yes, I have listed four here: Flea markets; swimming pools; people who sell records—

**Mr. Roy:** Records?

**Hon. Mr. MacBeth:** Yes, they feel that is amusement and entertainment. And, of course, we've heard about drugstores and things of that nature.

We will certainly consider amendments. As I said, we feel we should have a year's experience with it and look at all these things again. My concern, of course, as I think you've already expressed, is what falls under the flea market category. You can sell just about everything and anything.

As for swimming pools, I think people can buy their swimming pools on the other five or six days of the week. It's hardly an emergency or a necessity. The people who sell records say that families will go together and listen to the records to decide which one they're going to buy. Certainly, browsing in a bookstore is pretty good recreation. These are hard arguments to meet.

**Mr. Bullbrook:** I absolutely refuse to go with my children to buy records.

**Hon. Mr. MacBeth:** I can understand that.

**Mr. Breaugh:** They might refuse to take you; who are you kidding?

**Mr. Kennedy:** And listen to them.

**Hon. Mr. MacBeth:** They might like to go and you might like to go with somebody else who has them at your place and you have to buy records.

**Mr. Bullbrook:** Get him to retract that.

**Hon. Mr. MacBeth:** It's a very arbitrary piece of legislation, as I think Mr. Singer said many times during the process. I said at the start, Mr. Roy, that I think the legislation has worked out very well and has been accepted pretty well by the majority of people. We have had all sorts of operators of commercial enterprises who have come to us and said they think, for reasons such as the record people, they should be allowed to stay open.

It's been tougher legislation because of its course through the committee stage. What the government originally proposed was not as tight as what came out of the committee. This is one case where a minority government has worked pretty well because all three parties were in favour of this legislation and tightened it up. I think originally we considered leaving flea markets open on Sundays. We considered pet stores as being open on Sunday.

**Mr. Roy:** We were concerned about too many loopholes.

**Hon. Mr. MacBeth:** The Legislature tightened it up. You ask are we concerned with opening up some of these things? No, I would like to keep it pretty much as it is. I'm not saying it's perfect legislation because it is not perfect. I think we've got to keep our minds ready to consider amendments. I mentioned four people who have come before us.

**Mr. Singer:** I don't know if I'm next on.

**Hon. Mr. MacBeth:** In the absence of the Chairman, I'll say you're next.

**Mr. Chairman:** Next is Mr. Newman.

**Mr. B. Newman:** My colleague from Ottawa East made mention of the construction of the partition in the store in the Windsor area. I can foresee that practically all stores that are not mom and pop stores—not all stores but many of the stores—doing just exactly that in many of the communities. It does disturb me because I really thought when we were passing the legislation we were more or less interested in the family operation.

The other issue I wanted to raise was the one of the pet stores.

**Hon. Mr. MacBeth:** I wonder if I could just deal with that for a minute. You say family operations, recognizing of course that Mac's Milk and Beckers and some of them

that are opening the most are not family operations. I've had representation made by people who are definitely in family operations, but beyond the 2,400 sq. ft., who find difficulty in cutting their stores down to 2,400 sq ft but would still like to operate.

**Mr. B. Newman:** There is no more difficulty cutting your store down to 2,400 sq. ft. because the partition doesn't have to be a permanent one. You can set it up on Saturday night so that you qualify for Sunday morning.

**Hon. Mr. MacBeth:** That is correct as long as the public doesn't have access to the other part. That's my understanding. Is that unreasonable? If we find broad breaches of it or a lot of people resorting to this sort of thing, then I think we will have to look it over. I don't think Loblaw's, or A and P or any of these other people are going to resort to those. What I'm getting back to is I think it will be mostly family or independently operated people who do resort to that.

**Mr. B. Newman:** I'm familiar with the store in the Windsor area. It's the size of a good-sized supermarket; it's not a small operation.

**Hon. Mr. MacBeth:** Is it family-operated or is it a chain store?

**Mr. B. Newman:** I don't know if it is a family operation. I know the fellow, a fellow by the name of Mr. Zimmer, who operates the store, a most efficient operator. I can foresee others in the community doing just exactly what he has done and it's really defeating the purpose of the legislation.

I wanted to pass from that to the pet stores. I contacted one of the officials in your ministry. He was most co-operative and contacted the individual who operated the store and spoke personally with him. I think that was a very nice way for the gentleman to perform his duties there. One thing that does disturb me about it is that although you have appealed the case in the meantime the fellow stays open. Everyone else is obeying the law by closing. Why shouldn't the others then be allowed to remain open while the case is being appealed? You're still punishing the fellow who is obeying the law and there's no penalty on the one who has disobeyed.

[5:30]

**Hon. Mr. MacBeth:** I don't know whether we have any legal people here from the ministry as opposed to legal people on the committee to either support or deny what I

am about to say, but I would suspect, if it is a similar operation, the law has decided in his favour and I doubt if we would lay charges against anybody else who was opening up until the appeal was decided against him. Have you any comment on that, Mr. Russell? In other words, if somebody else in similar circumstances opened up, I don't think the police would lay any charges until the appeal had been heard.

**Mr. B. Newman:** Then could I tell my complainant that he is within his rights in keeping the store open up until the time the appeal has been heard?

**Hon. Mr. MacBeth:** I don't want to be in the position of giving legal advice here. I think you might get it best from the man on your left there.

**Mr. B. Newman:** But if it is in Hansard from you, Mr. Minister, then I'm not worried.

**Mr. Singer:** Thanks very much.

**Hon. Mr. McBeth:** Maybe Mr. Singer can put it in Hansard just as well as I can. No, it is not my responsibility or the responsibility of the ministry to give legal advice. He should get that from legal aid or a good lawyer—not that the two can't be the same, Pat.

**Mr. B. Newman:** Mr. Minister, you can understand the individual who is the law abiding individual and operates within the four corners of the law is being penalized as a result of obeying the law, while the other individual just carries right on up until the time the case is heard once again. I really think it is unfair.

**Mr. Roy:** Did your fellow—

**Mr. Chairman:** Mr. Bullbrook is next.

**Mr. Roy:** I just want to clarify that point while we are on it, we are having a nice discussion here.

**Mr. Bullbrook:** I want you to know that as chairman of our caucus I don't permit this.

**Mr. Roy:** Mr. Chairman, I just wanted to clarify one point and ask—

**Mr. Chairman:** Mr. Roy, your introducing the matter under the term planning and evaluation was pretty clever. You hung your hat on it and I let you do it, but please don't abuse it.

**Mr. Roy:** I agree. If you can direct me to the item where I should bring up this type of Sunday closing legislation I would gladly do so.



**Mr. Chairman:** I could have directed you yesterday when we had a wide ranging, extremely voluble discussion on everything under the sun before we even began the estimates. Mr. Bullbrook.

**Mr. Bullbrook:** I hope it's appropriate and in order, I wanted to ask the minister what the judicial experience has been with respect to the application of the statute to car washes. I think I communicated with you.

**Hon. Mr. MacBeth:** I understand that the present situation is that car washes are permissible.

**Mr. Singer:** Are permissible? Do you want to tell the Metropolitan Toronto police then?

**Hon. Mr. MacBeth:** Well, that was the court case. I haven't read the judgement, so whether there is some fine line that says "only when operating with the gasoline pumps" or something of that nature, I don't know. We can get you a copy of the judgement.

**Mr. Bullbrook:** I would like to have that. I wanted to voice and record that I think it would be appropriate for us, if necessary legislatively, if that is a loophole—because was it your recollection when we were in committee that we intended that they should not be open? I thought we were just going to provide gasoline and essential automotive services.

**Hon. Mr. MacBeth:** That's my thought, the car washes on their own would not be open.

**Mr. Bullbrook:** I am glad that your recollection is the same as mine. Frankly, I utilize a particular facility in Sarnia run by a family, and the six of them work seven days a week, and at first they wanted to resist the concept of closing on Sunday and, quite to the contrary, they found for once they were having a family day. It became almost exemplary of the intention of the Legislature when we talked about questions of a day of pause and I suppose the quasi-social impact of the legislation. I'd invite you not to wait a year with respect to that. I think you have the dictates quite manifest in Hansard with respect to what we intended on car washes; and I would, as I said, make the respectful suggestion to you that you do it as quickly as possible and with no ambiguity, so that we are saying in effect that those services that were to be provided to the automotive industry were those that were essential for carrying on their driving and pleasure.

**Hon. Mr. MacBeth:** You say it was clear in Hansard; I don't think the committee discussions were recorded.

**Mr. Bullbrook:** Oh I'm sorry, you're right.

**Hon. Mr. MacBeth:** But I don't know whether there was any discussion of that in the House or not.

**Mr. Bullbrook:** Well then I'll put it this way. It was certainly clear in the mind of the Attorney General (Mr. McMurtry) and some of his colleagues who were on the committee that we intended such. It seems to be, as I say again, to have a direct bearing, from my own personal dealings, on what the intention of the legislation was.

**Mr. Chairman:** Mr. Norton; then Mr. Singer.

**Mr. Norton:** Mr. Chairman, my comments will be very brief at this point, because the question I was going to ask has in part been dealt with already. My recollection is that when the bill was first drafted it did in fact include an exemption for pet shops, is that correct?

**Hon. Mr. MacBeth:** I don't think it did, but we had quite a few changes, if you recall, during the committee discussions. I don't think the original bill had it in, but there was quite a plea made by the owner of a pet store and I recall that the ministry was instructed to make some changes. In the changes that we made there was an exemption put in for pet stores. He said he had to be there to feed his animals anyway and that the families came through and all the rest.

Then there was a vote in committee on it. It carried in the committee, I think by a split decision; but when it got into the House it was defeated in the House, as I recall. I don't think it was in the original bill.

**Mr. Singer:** I think that's right.

**Mr. Norton:** Have you had any further communication from the representatives of pet shop owners or operators since the legislation has been in operation?

**Hon. Mr. MacBeth:** Yes. There was somebody down Kingston way who was in touch with me.

**Mr. Norton:** And with me a number of times as well.

**Hon. Mr. MacBeth:** I've forgotten his name, Mr. Norton, but there was somebody down there who was—

**Mr. Norton:** I think you're probably referring to Roy's Pet Shop.

**Hon. Mr. MacBeth:** It could be, I don't know though.

**Mr. Norton:** It's obviously, in our area, the most controversial of all, because of the very nature of the operation, the fact that the pet shops seem to do the bulk of their business on weekends, when families can be together and take the children out to look for pets. I just wondered if you had given consideration to that as one possible amendment to consider in whatever package may be under consideration for the fall.

**Hon. Mr. MacBeth:** I can answer that briefly, yes.

**Mr. Norton:** Thank you.

**Mr. Chairman:** Mr. Singer?

**Mr. Singer:** I don't know whether the gentlemen whom both the minister and Mr. Norton were talking about was the one who called me and said he had always been a Liberal but unless I got the Act changed to include pet shops he wasn't going to be any more. I hastened to assure him it was all the minister's fault anyway.

**Mr. Norton:** I might as well add I don't know the man's political persuasion, all I know is that he visited Toronto during December to lobby the members of the Legislature, but he happened to omit contacting either his own member, who doesn't happen to be me, or me, who represents the adjacent riding. He went home thinking he had been very successful in his lobbying and later blamed me because he was so disillusioned at the results.

**Mr. Singer:** Mr. Chairman, could the minister refresh my memory? In regional governments, Metropolitan Toronto, the exemptions allowed for vacation-type enterprises, would those be allowed to the area municipality or to the local municipality?

**Hon. Mr. MacBeth:** No, where there was a regional municipality or a Metro municipality, the people who had the decision were the upper house.

**Mr. Singer:** So in Toronto it would be the Metro council?

**Hon. Mr. MacBeth:** The Metro council.

**Mr. Singer:** There have been discussions recently, and I guess they were perhaps the city council—

**Hon. Mr. MacBeth:** They were at Metro.

**Mr. Singer:** They were at Metro. About Markham village, and particularly Mirvish's art store. One of the suggestions being made was that perhaps they could designate a portion of Markham St., from Bloor one block south, and maybe one or two stores therein, to be part of the tourist vacation trade, which seems quite ludicrous to me. That kind of an exemption, to be applied so selectively, doesn't seem to make much sense. Certainly that wasn't the intention when we wrote it in, we were talking about areas where—well I suppose beach areas that have great tourist trade in the summertime, vacation areas in the north and that sort of thing.

**Hon. Mr. MacBeth:** I used Niagara Falls as an example.

**Mr. Singer:** What do you think of that? I don't know the extent to which that's gone. I recall reading about it in the paper.

**Hon. Mr. MacBeth:** Not very much. There was a note in the paper today, and I went to see Mr. Ritchie before I came over to the House, thinking there might be some question on it, and found he was out to lunch. The question the Metropolitan solicitor was left with, as I understand it, was whether or not they could do it, rather than by area, by type of store. My understanding is it had to be by area and they couldn't do it by type of store. I'm going to seek out Mr. Ritchie, our legal counsel, because I thought it was fairly clear to that effect and I wondered why Metro's legal people were having any problem with it at all.

My understanding was that they could declare an area to be a tourist area and that was purely at the discretion of the body deciding what that area would be. If the proper council did it on the basis of an area that is the final say on it; there is no appeal to anybody not even the Ontario Municipal Board. I suppose they might have to substantiate in a court somewhere that they had justification for doing so but there is no appeal to the ministry.

**Mr. Singer:** Could the area be as big or as small as the appropriate council wanted to make it? So it could include 673 Markham St. and all the stores in that area?

**Hon. Mr. MacBeth:** I would think that was a possibility but I can't see Metro council doing it.

**Mr. Singer:** There's a substantial argument for exempting art shops; some of the members have talked about it.

**Hon. Mr. MacBeth:** I don't think they can do it unless they go all over the Metropolitan area and decide, "All right, there are so many art shops and we'll exempt a whole list of them on that basis."

**Mr. Singer:** No, but suppose they just wanted to designate the area as one street address on Markham St.? That presumably is appropriate?

**Hon. Mr. MacBeth:** I think that's possible but I can't see it as being conceivable.

**Mr. Gregory:** Mr. Chairman, I know one of the side effects of this bill has been a certain discrimination. I'm not speaking in terms of dealers or merchants but in regard to certain types of products available.

As an example, a couple of weeks ago I found I needed a bit of hardware; I needed a coupling for a hose. Of course, knowing hardware stores were closed, I went to a variety store which operates in an area adjacent to your own—at Rathburn and Renforth—which had always carried emergency supplies of this nature. Because of the limitations I found they had divided the store with a piece of rope so you couldn't get into sections.

I could see the unit I wanted to buy but couldn't get at it. In other words, I was prevented from buying that piece of equipment in that store because of the law. I went from there to a dealer in plants or garden products and was able to walk in and out with the product.

I don't know you control this under the bill but it seems strange to me that I am prevented from buying a product in one store but I can go to another store and buy the identical product. Is there any way that can be done? Is there any way certain products can be exempted or the bill loosened up a little?

To better make my point: We seem to regard milk, bread and things like that as things people have to have on a Sunday and we make them available. What happens if you suddenly need a washer? Your tap has blown and you need a washer; or your lights have gone and you need a fuse? Are these not regarded as things that you would have trouble doing without?

**Hon. Mr. MacBeth:** No question. I'm not going to try to defend the bill on the basis that it is not discriminatory. I've said all the

way through that it's very discriminatory yet it seems to be working.

The problem you bring up is certainly very real as you've expressed it. You say define the product and say it's a necessity. I guess just about everything is a necessity at some time or another; or most items are. If you haven't got shoes, they are suddenly a necessity; if you lost your shoes and had only one pair that could be a necessity, too. I don't know how you define it any better than we have.

The question was asked about amendments. Yes, we are looking at amendments but I don't think trying to accommodate you and your washer will be one of the amendments we are looking at.

**Mr. Gregory:** I assume you are using that as an example but I could see many people getting into an awful lot of trouble if some part of the plumbing apparatus in the bathroom suddenly went on the fritz on a Sunday. I think they might make the case very strongly to you if that happened. You could call a plumber at \$25 or \$30 an hour, sure.

[5:45]

**Mr. Kennedy:** It's somewhat the same as if your furnace goes on a Sunday.

**An hon. member:** You wouldn't want to fix that yourself anyway, would you?

**Mr. Kennedy:** I have a few points on pet shops, which were covered, but just to add to that: Pet shops also supply medications and tonics and perhaps what you might deem to be emergency supplies. It was with this in mind that I had some concern and didn't support the amendment to include them for closure. Recognizing that families like to go to pet shops, there also is the legitimate reason of the necessity to get emergency medication because veterinarians aren't available on a Sunday.

The other point that was covered, but just for my own clarification, was Mr. Gregory's mentioning how he goes into a store and there is a rope dividing off the portion that can conduct business. The store within the store in Windsor, which was partitioned, was within the law; this is being carried on. Is it conceivable the larger chain stores could practise this and conduct on 2,400 sq ft what they do now on maybe 10,000 sq ft by continually replenishing the supplies within that area? Pretty soon we would be back to having everything open.



**Hon. Mr. MacBeth:** I would say no, because the limit is not only 2,400 sq ft, it's also three employees.

**Mr. Kennedy:** Yes, I see. The fact is, it would take a legislative change rather than there is no violation of law with that?

**Hon. Mr. MacBeth:** I am a little surprised when Mr. Gregory mentions a rope. I wouldn't have thought that the police would regard that as adequate barrier to keep from accessibility. On the other hand, I suppose what's happening in practice is that nobody is crossing that rope and the merchant is not reaching across and selling supplies from the other side of the rope, so I guess he is all right.

**Mr. Kennedy:** Would you consider the other function served by the pet shops?

**Hon. Mr. MacBeth:** In the possible amendments?

**Mr. Kennedy:** Yes.

**Hon. Mr. MacBeth:** Yes.

**Mr. Roy:** I was just going to mention one thing, Mr. Chairman, about this partitioning and roping off of stores. As I understand it, the partition or the rope or whatever only stops the customer from going over there. As long as customers don't have access, there is nothing in the law to stop the employees from going on the other side, getting an item and bringing it into the 2,400 sq ft and selling it there, is there?

**Hon. Mr. MacBeth:** I would say yes, but again—

**Mr. Roy:** You would say yes? As I remember the law, it was framed in such a way that the accessibility to the customer was limited by 2,400 sq ft. As I say, it has been some time since I have looked at the statute, but I don't really know of anything that would stop a customer from saying, "Look, I see a baseball bat"—or was it Mr. Gregory's situation where it was a rope and you just looked on the other side of the rope and said, "How about that item up there on the shelf?"—to stop the employee from going out there and getting it, bringing it into the 2,400 sq ft area and selling it there.

**Mr. Gregory:** I thought of that but being law-abiding—

**Mr. Roy:** Yes, that's right.

**Mr. Kennedy:** That would be a violation.

**Mr. Roy:** That's what I'm saying.

**Hon. Mr. MacBeth:** Now you are asking me legal questions, as you realize, and your opinion on that is as good as mine. But going back to the discussions that I had with legal counsel at the time, that was one of the problems we dealt with and they thought we were sufficiently covered that that couldn't happen. It was not only accessibility to the customer but a certain offering for sale, and it couldn't be offered for sale if it wasn't in the 2,400 sq ft. Now we're not just talking about storage room. We did get into that and we said: "Yes, he could have all his pop down below, and that wouldn't be involved."

**Mr. Peterson:** You could have a sort of warehouse. All we have to do is put a sign up saying anything classed as 2,400 ft is a warehouse.

**Hon. Mr. MacBeth:** Remember there are other things involved, it's limited. It's mostly foodstuff we're talking about—tobaccos and certain exemptions. The type of thing Mr. Gregory was talking about would become sort of miscellaneous in any of the categories that were permitted. Evidently he did have a variety store and carried some hardware goods as well.

**Mr. Peterson:** Theoretically, in that case though, if Mr. Gregory had phoned ahead and said, "Do you have such and such?" and the guy said, "Yes," and carried it over prior to his entry in the store, that probably would have been legal, would it not?

**Hon. Mr. MacBeth:** Oh yes, I suppose so. As I say, legal counsel at the time were satisfied that as long as you had it partitioned off and the other goods were on the other side, not accessible; the legislation was drafted in such a way that shouldn't present a problem. You're getting into hypothetical problems where a person phones ahead.

**Mr. Peterson:** This partitioning, as I understand it, was not previously contemplated. It wasn't contemplated when they were drafting the Act.

**Hon. Mr. MacBeth:** As I say, we talked about it quite actively in regard to a drug store over here in the new Hydro building which is on two floors. We actively considered, as a possibility, closing off the upper store. He said, "No, he couldn't do that"—for some reason, because customers had to come through there.

**Mr. Norton:** Mr. Chairman, would this be the proper head under which to discuss what planning has taken place with respect to the

replacement of the EMO, or would that come under a later head?

**Hon. Mr. MacBeth:** No, there's another vote later on.

**Mr. Norton:** All right.

**Mr. Breaugh:** You're coming around to that?

**Mr. Norton:** I'll defer until that time.

**Mr. Kennedy:** Mr. Chairman, I don't know that this Sunday rule has changed our way of life a great deal, or dramatically, but in New Zealand they close everything at 6 o'clock on Friday. There is no activity from Friday at 6 o'clock until Monday morning.

**Hon. Mr. MacBeth:** I'm afraid there's no activity from Monday noon to Monday noon in New Zealand.

**Mr. Kennedy:** You'd better be careful, they'll be phoning you. The high commissioner will be in touch.

**Mr. Chairman:** Does item 5 carry? Carried. Item 6 is administrative services.

**Mr. Roy:** I noticed in the 1974-1975 estimates there was \$123,000 budgeted for this, but there's a blank for actual expenditures. Does that mean that it wasn't spent at all? It then goes to \$185,000 in 1975-1976—that's the estimate. Then it jumps—and there's quite a jump here—to \$290,000 in 1976-1977. Can someone help me on that item?

**Hon. Mr. MacBeth:** Yes, Mr. Edwards or Mr. Gow.

**Mr. Edwards:** The administrative services branch in 1974-1975 was non-existent. In 1975-1976, what we did is take a number of administrative things—such as printing, photo copying, stationery, office supplies—from a number of other branches within the ministry and we put them into that item. In 1976-1977, we are also putting the staff in there. What we're doing, in other words, is centralizing an administrative service for pretty well the entire ministry and putting it into one branch.

**Mr. Roy:** Just so I understand. We voted in 1974-1975 to give you \$123,000. It would appear you did not spend it. Am I right there?

**Mr. Edwards:** The \$123,000 would have been spent, I believe, in other branches. In other words, the office supplies had to be

purchased, and they were purchased out of the items in the various branches—whatever ones they may have been.

**Mr. Roy:** Why does it not show in this estimate that in fact they were spent?

**Mr. Edwards:** To the best of my knowledge, the items that were voted in 1974-1975 were not spent, but there were administrative services that had to be supplied. That's what I am saying.

**Mr. Roy:** Just so I understand you—and maybe I have got these estimates wrong—you came in here in 1974-1975 and asked \$123,000 for administrative services. It would appear that we acquiesced and you went away with your \$123,000. Now the actual, I thought, reflected what was spent. It would appear that it was not spent.

**Mr. Edwards:** Yes, the money that was actually voted in 1974-1975 was not spent.

**Mr. Roy:** But you found room within the Ministry of the Solicitor General to spend \$123,000 some place else.

**Mr. Edwards:** Whatever was required would have been charged at that time, I think, to the various branches for such things, as I say, office supplies, Xerox paper, and so on.

**Mr. Roy:** What you are saying is that the jump from 1975-1976 to 1976-1977 is because you are gradually setting up this process and you have got personnel coming into it.

**Mr. Edwards:** That's right.

**Mr. Roy:** Can you tell me, is the jump from \$185,000 to \$290,000 for personnel only or is that an increase in hardware or whatever you need to operate this administrative service?

**Mr. Gow:** There is a jump in salaries for eight complement going in there, and for the benefits for those people, as well as for the services, supplies and equipment.

**Mr. Roy:** So you are not hiring additional personnel in that department; what you are doing is increasing their salaries. Is that it? Am I right there?

**Mr. Gow:** We have increased the salaries to eight people, yes. What we are doing is we are centralizing services throughout the ministry into the administrative services branch. This involves such items as inventory control, assets disposal for the entire minis-

try, mail messenger services, administrative policy, manual co-ordination, records and forms management, stock control for the new forensic sciences building as well as shipping and receiving for the building, accommodation, building security and office equipment repairs for the entire ministry, and central ministry filing as well and copy and duplicating control to get better copy and duplicating control.

**Mr. Roy:** I don't have any further questions.

**Mr. Chairman:** Item 6? Carried.

Item 7, internal audit. Any comments? Carried.

Unless somebody wants to reduce the minister's salary, vote 1501 is carried.

**Mr. Roy:** Let me ask one thing about the minister's salary—

**Hon. Mr. MacBeth:** I am glad to see Mr. Singer has gone anyway.

**Mr. Roy:** I won't move to cut your salary; I just want to ask you, as a minister who has got a dual role—you are Solicitor General and Provincial Secretary for Justice—whether you feel you are somewhat underpaid, considering that you are performing two such important functions as being a super-minister on the one hand and chief law officer or chief fuzz as some people like to call you—in the province.

I would just like to have your comments as to whether, first of all, you are able to carry on these two onerous functions and, secondly, whether \$18,000 is sufficient remuneration for one who does such a—

**Mr. Norton:** He is not only a superminister; he's also a super guy.

**Hon. Mr. MacBeth:** Thanks very much. I assure you, first of all, that I only get it

once; that is, the \$18,000 doesn't come to me twice.

**Mr. Roy:** Yes, we asked that a couple of years ago.

**Hon. Mr. MacBeth:** Secondly, you asked me if I feel that I am underpaid. Yes, I do, but I am quite satisfied with my remuneration at the same time.

[6:00]

**Mr. Chairman:** Members of the committee, Mr. Elmer Bell will not be able to be here next week and, as a special indulgence, I suppose, I am suggesting to the committee that if we haven't reached vote 1504, Ontario Provincial Police management programme, item 1, office of the commissioner, by 9 o'clock tonight, that we go ahead and deal with Mr. Bell's portion of the estimates, trusting that we will release him from the thing, and then revert to wherever we are at that particular stage. Is that satisfactory?

**Mr. Roy:** Mr. Chairman, could I ask one question? I thought Mr. Bell was with police commissions. What's that got to do with the Ontario Provincial Police? I thought there was a separate item in here for police commissions.

**Hon. Mr. MacBeth:** It is 1503.

**Mr. Chairman:** It is 1503 item 1.

**Mr. Roy:** I understand that then.

**Mr. Kennedy:** One question, Mr. Chairman, are we on schedule toward completion of these estimates? Or is it in the hands of the committee?

**Mr. Chairman:** It's in the hands of the committee, as far as I'm concerned, at the present time.

The committee recessed at 6:02 p.m.



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 Bullbrook, J. E. (Sarnia L)  
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 Kennedy, R. D. (Mississauga South PC)  
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 Norton, K. (Kingston and the Islands PC)  
 Peterson, D. (London Centre L)  
 Roy, A. J. (Ottawa East L)  
 Singer, V. M. (Wilson Heights L)

### Ministry of the Solicitor General officials taking part:

Edwards, L. H., Internal Auditor  
 Gow, P. F. L., Executive Director, Administration  
 Russell, A. A., Deputy Minister



Government  
Publications

# Legislature of Ontario Debates

**SUPPLY COMMITTEE—1**  
**ESTIMATES, MINISTRY OF**  
**TRANSPORTATION AND**  
**COMMUNICATIONS**

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

**Thursday, June 10, 1976**

**Evening Session**

**Speaker: Honourable Russell Daniel Rowe**

**Clerk: Roderick Lewis, QC**

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## LEGISLATURE OF ONTARIO

### SUPPLY COMMITTEE

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THURSDAY, JUNE 10, 1976

The committee resumed at 8 p.m. in committee room No. 1.

#### ESTIMATES, MINISTRY OF TRANSPORTATION AND COMMUNICATIONS (concluded)

On vote 2402:

**Hon. Mr. Snow:** I think Mr. Summerley of the ministry's economic policy group has some information for the committee.

**Mr. Summerley:** There are two points I'd like to address. The first is that the recommendation to which reference was made this afternoon deals with only a very small number of goods. There are a lot of goods which are sold in the north at exactly the same price they're sold for in the south. We're simply trying to deal with that small band of commodities which does have a specific transportation—

**Mr. Wildman:** Food products are mostly the same price, except for milk.

**Hon. Mr. Snow:** That's not shipped from the south.

**Mr. Wildman:** No, there are other reasons for that.

**Mr. Summerley:** When we came up with the draft recommendation we took it to the Ministry of Revenue but for a number of very good reasons—I am not qualified to speak for them—they felt it could not be implemented.

**Mr. Wildman:** So it was basically the Ministry of Revenue that argued this couldn't be done? If we want to find out we really have to go to them?

There was a section, I think, in the internal document which was dealing with trucking being controlled by firms with a direct interest in operation of other modes of transportation. There was some criticism, I think, of the PCV Act, saying that it did not relate to regional development goals of the government for the north and that it

wasn't entirely consistent with economic and efficient transportation systems. It recommended that the government—I'm quoting here—"Adopt a policy that would make it desirable for multi-modal transportation companies to operate each mode as a separate profit centre."

I'm wondering if the ministry has abandoned that? I don't think it's included in the executive summary. Is there any reason that you have decided that companies operating in multi-modal transportation systems shouldn't operate each type of transportation as a separate profit unit?

**Hon. Mr. Snow:** In most cases I think they do. Our own ONTC certainly operates Star Transfer separate from the railroad operation. There are two separate financial statements; separate bookkeeping; everything. I guess one they're probably referring to in those comments, for instance, is the CPR and Smith Transport. I'm sure they operate; although it's one wholly-owned company, Canada Steamships — is it Canada Steamships that is CPR? The railroad, Smith Transport—the same as the CNR and their operations; I'm sure they operate separately. There may be some which don't.

The matters relating to licensing and fleet size are items we have put to the select committee and asked them to look into.

**Mr. Wildman:** Can you give just a short explanation of why you considered that to be a desirable thing? Why it was a problem that they were not operating in such a fashion? What effects does it have on the north that you have companies like CP and Smith Transport operating in a way that is not separating their trucking from their rail and ship operations?

**Mr. Summerley:** The study team originally was concerned that railways, for example, might be making some profits from their freight operations and that these profits would then be syphoned off to other profit centres, such as hotels.

**Mr. Wildman:** They don't like to tell people about that.

**Mr. Summerley:** We don't really have any handle on the degree to which this occurs, and we felt that it was not appropriate, it was beyond the constitutional capabilities of the province to deal with topics such as that.

**Mr. Wildman:** I see, okay. Have you made any approaches to the federal government on this problem to try to get them to look into it and perhaps break up these units?

**Mr. Summerley:** We'd like, first of all, to see that there is a real problem. There was a suspicion that we had that was brought up in the initial draft recommendations, and when we looked further we could see no concrete evidence that this was occurring.

**Mr. Wildman:** Okay. There's a couple of other things I want to deal with and then I'll leave it open to something else. In the documents that you've tabled as strategies for growth in the north, you've designated certain areas as growth centres, but I think you mention in your report here that some of these communities are captive of highway transport because they don't have rail and so on; they pay freight rates well above the level normally paid by other communities. You mention, of course, the Highway 11 corridor, which pays a higher rate than Highway 17.

Before you decided to have the PCV looked at by the select committee, was there any decision on the part of the ministry, or indication of what you might be going to do? Obviously you didn't know at the time this was being prepared that you were going to end up with a select committee on the PCV. Were any changes suggested there to try to ensure that the freight charges would be cost-related? In other words, were you looking at control of truck freight costs?

**Hon. Mr. Snow:** No, I don't think we were looking at controlling rates. But I think if we had not had the select committee then we would have perhaps been asking the Highway Transport Board to take a look at the existing licences and the adequacy of licences on that Highway 11 corridor to see whether there was sufficient competition. In fact, I believe there are some applications before the board right now for licensing.

**Mr. Wildman:** Yes, the northern Ontario municipalities have made some representation for increasing competition.

**Hon. Mr. Snow:** By the time we actually got that report, or very shortly thereafter, we were already thinking about the select com-

mittee, so we didn't take any direct action or ask the board to look into it.

**Mr. Wildman:** I think you said earlier in the House that you were opposed to controlling trucking freight costs. Why is that? If it's found that freight that is being shipped by truck is costing a lot more than it should cost, as related to costs and what might be considered a fair profit under normal circumstances, if that was found to be the case would you be prepared to set controls through the transport board to not only have rates published but actually to set maximum rates, or for that matter, to set minimum rates?

**Hon. Mr. Snow:** I really haven't considered that as an option.

**Mr. Wildman:** Do you think it might be an option in relation to the opposite question in some cases where, in southern Ontario, there is too much competition, or at least a large number of people in the business, and they're having some difficulty in making a profit, would it be fair to look at minimum rates?

**Hon. Mr. Snow:** No, I don't think so.

I would be concerned if there was not sufficient competition on a particular route to a particular community. If there was any indication that abnormally high rates were being charged in any particular area, I think the way to deal with that—my own personal philosophy—would be to allow more competition into that area.

**Mr. Wildman:** Except that in southern Ontario you seem to have a situation where, in some cases perhaps, the amount of competition is leading to such low rates that men are going out of business.

**Hon. Mr. Snow:** I'm not sure that's the case.

**Mr. Wildman:** Of course, the committee will be looking into that.

One other thing I want to bring up and then I'll leave this, is that mentioned in both the draft and the final document is the rather asinine situation where people in the north, when they are trucking into the States or back, have to go all the way down through Windsor, Fort Erie or the Ivy Lea rather than use Sault Ste Marie or Fort Frances. Obviously this is going to inflate transportation costs greatly. What do you see as a solution to this?

Do we really have to wait for the PCV committee? I don't know if it's within its

terms of reference to look at it, but do we really have to wait for them to have some kind of solution suggested for this ridiculous situation in which, if you're in Thunder Bay, you're going to ship through Windsor or some place rather than Fort Frances or the Soo?

**Hon. Mr. Snow:** It all depends on where the freight is destined.

**Mr. Wildman:** Let's say you're going to Milwaukee or some place like that. Do you have any plans to suggest changes which would end this? Either that or at least ensure that the charges placed on goods for shipping are based on what would be the charge of a direct route.

**Hon. Mr. Snow:** I think that's the point. If some carrier, for reasons of his own, wants to take a route longer than would be the normal route you would expect to pay for, he shouldn't be able to charge more for that. I believe that's one of our recommendations here; recommendation 3.

**Mr. Wildman:** Can we expect legislation on that?

**Hon. Mr. Snow:** This relates to the PCV Act and this would be—

**Mr. Wildman:** An amendment?

**Hon. Mr. Snow:** —something I'd want the committee to look at. I think our terms of reference for the committee are certainly broad enough to allow them to look into all aspects of commercial trucking in the province. There's one term of reference at the end which says "Any other matter that the minister may refer to the committee." That's an escape clause so that if anything comes up in the meantime which the chairman doesn't feel is within his terms of reference and we feel it should be looked at, I can always add it.

**Mr. Wildman:** Can you explain the reason for this? Why is it shippers would prefer to go through southern Ontario gateways rather than the Soo, for instance?

**Hon. Mr. Snow:** Some of it's licensing.

**Mr. Wildman:** Yes, that's right. It's not the shipper, it's the licensing.

**Mr. Summerley:** It's the carriers which create the haul that way. Part of the problem rests with the ICC, the Inter-State Commerce Commission in the United States, which does designate various gateways and we are going to have to enter into either formal or—

**Mr. Wildman:** This would involve the federal government?

**Mr. Summerley:** Some kind of formal or informal negotiations will be necessary.

**Mr. Wildman:** All right. Basically, I don't have any other questions on this.

I'm disappointed that the first problem dealt with, the sales tax, has not been acted upon by the government. In the House I've asked the Minister of Revenue for the reasons this hasn't been done and he hasn't really given a full explanation. We'll have to find out from him, I guess, either in the House or in other ways, why they can't act on this because certainly it's unfair that northern Ontario has to pay twice for transportation rates because they're taxed upon it.

I'd like some guidance from the chairman, really, here. We have only until 10:30 and we have not covered a great deal of things in the estimates. What do you see? Are we going to set time limits or what?

**Mr. Chairman:** Pardon?

**Mr. Wildman:** Do you think we will set time limits—or should we set time limits—on how long we want to spend on particular votes?

[8:15]

**Mr. Johnson:** An excellent idea.

**Hon. Mr. Snow:** I'd like to answer as many questions as we can during the time available.

**Mr. Wildman:** I have lots of questions on this particular vote but we haven't even touched a number of others, like provincial roads for instance.

**Mr. Johnson:** Mr. Chairman, may I make one point; if you don't mind, Mr. Wildman. Since we have two special select committees set up for PCV and safety and regulations, could we not cut the question period down on these two votes and concentrate on other aspects of the ministry?

**Mr. Wildman:** I'm willing to go along with that.

**Mr. Gilbert:** Mr. Chairman, I would say that we've already stated to the select committee—the minister has stated—that any person now within the ministry certainly will be available to the select committee to discuss Robin Summerley's report or any other similar reports that we have that would be of value to the committee. We've already made that offer to that committee.



**Mr. Spence:** Mr. Chairman, under programme administration, does the programme that you have for disposing of surplus properties on which the ministry has changed its mind come under this item 1?

**Hon. Mr. Snow:** No, that's 2405.

**Mr. Spence:** On vote 2405, right.

**Mr. Gilbert:** No, that's 2404.

**Hon. Mr. Snow:** On 2404, provincial roads programme.

**Mr. Chairman:** Is there any further discussion on item 2?

**Mr. Wildman:** I'd like to ask one short question before we leave that. Maybe it doesn't fit in here, but I understand the Consumers' Association of Canada suggested that when we go completely metric, perhaps we should design a new kind of sign because, apparently, there could be a lot of confusion. I understand 50 is the metric equivalent of 30, so that if you end up with what was a 30-mile zone it will probably be marked 50 and when we go metric there could be some confusion. Are you looking at changing the whole shape of the signs?

**Hon. Mr. Snow:** This doesn't come under this vote, of course.

**Mr. Chairman:** It's under 2404.

**Mr. Wildman:** Okay.

**Hon. Mr. Snow:** But to answer the question now that it's been asked, there's an interprovincial committee with the federal government that establishes standards for signs and will establish the speed limits. For instance, I think that 60 miles per hour will probably go to 100 kilometres which is about 61-point-something miles per hour. I don't think we'll go to 99 kilometres.

**Mr. Wildman:** Yes, but I'm wondering if you will change the shape of the signs.

**Hon. Mr. Snow:** That will be up to the interprovincial RTAC committee. In fact, that is one of the items on the agenda, I believe, at the RTAC meeting this September.

**Mr. Wildman:** All right. I'm willing to leave this and go on.

Vote 2402 agreed to.

On vote 2403:

**Hon. Mr. Snow:** Mr. Chairman, this is the safety and regulations programme. Again, as has been suggested about a lot of the safety matters, if we're trying to move through

these votes tonight, there will be lots of opportunities at the select committee to deal with those matters.

**Mr. Spence:** Mr. Minister, does this cover your inspection officers' check ups?

**Hon. Mr. Snow:** Vehicle inspection would be under this vote, yes.

**Mr. Spence:** We find, so many times in these checkups, that when a person has something wrong with his car, they take it off the road. Then they have to get a wrecker to take the car to the garage. Sometimes the owners are not too flush with money and a wrecker, in general, would cost about \$20. I often wonder if you couldn't make it a little easier on some of those people by having one of your officials drive ahead of this car to the garage which is only a few miles away?

**Hon. Mr. Snow:** It all depends. I'm concerned about this too. I've had a couple of instances brought to my attention. Of course, if a car has a defect that is not too severe I think you are allowed to drive it and get the thing fixed and bring the car back to show it is fixed, but if a car is—

**Mr. Spence:** Dangerous?

**Hon. Mr. Snow:** If it is not safe to have it on the road, if brakes or something like that are involved, then of course the plates are taken off it right there, and I think rightfully so. Of course it's up to the owner of the car as to what garage he or she may wish to take it to. There may be a garage right across the street but they may not want to go to that. They may want to go to their own garage 10 or 20 miles away. So I don't know how we can deal with it. Maybe Mr. Humphries would like to comment.

**Mr. Humphries:** Mr. Chairman, the policy of the ministry—and I hope every officer follows that policy—is that you take the plates off only when the vehicle is in a very dangerous condition. That is really the only time they're taken off. There are some problems in each individual circumstance how you can handle it. If the ministry was going to provide taxi service for everybody that this happened to we wouldn't inspect many vehicles.

However, we do attempt to use what resources we have to provide transportation for the person who gets involved in that sort of thing. I can't say that we do it in every case, but we do it in some cases where we think there's hardship. It doesn't always suit the individual circumstances, but I think you must

understand that we're going to have a real problem if we're going to give everybody taxi service from the point that their car can no longer be operated. It's a matter of discretion of the inspector to treat the situation as best as he can in the circumstances.

**Mr. Spence:** We find sometimes a housewife drives uptown just before the dinner hour for harvesting or taking out tomatoes or potatoes, and she is left there standing and nobody is in the house at home to answer the phone.

**Hon. Mr. Snow:** You don't have people with unsafe vehicles down in Kent county. You're pretty close to Windsor and you can get new cars in Windsor.

**Mr. Spence:** That's right. Then we haven't got the finances to buy them. But I'll tell you this, when they call you up and they want me to express their views to the Minister of Transportation and Communications, I must bring this to your attention. When they're left standing on the road, the car taken off—

**Hon. Mr. Snow:** Are you suggesting that we have our inspectors phone you and you'll come and pick them up? Is that it?

**Mr. Spence:** That will be the next thing. I just wanted to bring it to your attention.

**Hon. Mr. Snow:** You might get a little extra majority next time if you did that.

**Mr. Spence:** I could do that. I could follow them where they're having these checkups on cars and I might get votes.

**Hon. Mr. Snow:** You might get a few—

**Mr. Spence:** But it might cost me an awful lot of money. I just wanted to bring it to your attention.

**Mr. Humphries:** Mr. Spence, let me tell you, without taking the time of the committee, I've had very personal experience here. Last summer I had a call from a rather elderly lady in her 80s, who was about a third or fourth cousin of mine, saying, "Bob, you've taken the plates off my car and I can't get home."

**Mr. Spence:** This is what you get. You get them on the telephone and—

**Mr. Humphries:** I understand the problem.

**Mr. Spence:** We hope maybe you can improve these inspections a little.

**Mr. Wildman:** I'd like to ask a couple of questions about motor vehicle licence outlets and the licensing bureaus. For a while last

fall and winter we had very difficult time getting anyone to take on the job of issuing licences in Hornepayne, which meant that people living in Hornepayne would have to travel about 85 miles to Hearst to get a licence and that meant, basically, that a lot of them drove snowmobiles over the winter without any licence because it was a long way to drive.

What determines who gets a bureau? What makes it attractive? Why, in some places, do you have people applying and wanting them and in other places you can't find anybody, or have a very difficult time to find anybody to take it? I understand a lady who finally agreed to take over the job of issuing licences in Hornepayne has now informed the township council that she intends to quit, because she doesn't think she is making enough on it, and that again leaves people to travel over 80 miles to get a licence.

**Hon. Mr. Snow:** Well, this is a problem in the smaller communities, and we certainly want to maintain a service in the smaller communities. For instance, in Hornepayne in 1973 the total commissions paid were \$387.85. There was an increase in commissions and in 1974 that office got \$543.25, and in 1975, \$608.45.

We are looking into the fees. Obviously someone can't afford to make that a full-time job. In many of the smaller areas it's a supplement to a local storekeeper or someone who will take on the job, but even so, I don't feel personally that the fees paid are sufficient for the small offices.

We're doing a study on this now and we'll be taking forward some recommendations to Management Board to possibly pay a higher fee than the normal 75 cents that we pay now per transaction; a higher fee for say the first certain number of licences issued, or a higher fee for an office that issues under a certain number of transactions a year, to make it a little more worth while for the small offices, because we're just as interested in supplying the service in Hornepayne as we are in Metro Toronto.

**Mr. Wildman:** Can you tell us how many motor vehicle licence outlets there are in Ontario that make less than \$1,000 a year?

**Hon. Mr. Snow:** Oh, I don't know whether we have that. There is a number certainly. I'm just looking here at Hornepayne, \$608, Beardmore, \$408, Mattice—wherever that is, I don't even recognize that—\$577—

**Mr. Humphries:** Sir, I would make a guess—maybe 25.

**Hon. Mr. Snow:** —Elk Lake, \$183, Dubreuilville, \$500, Iron Bridge, \$815—these are just a few.

**Mr. Wildman:** Most of them are in my riding.

**Hon. Mr. Snow:** I just happened to be reading from the list in that particular part of the province, Pickle Lake was \$321, so there are a number of those small offices and we would like to do something to make it a little more worth their while.

**Mr. Wildman:** How about less than \$2,000? Would you say it is a significantly greater number making less than \$2,000 a year?

**Hon. Mr. Snow:** Yes it would be.

**Mr. Wildman:** What do you consider to be a fair return for this service?

**Hon. Mr. Snow:** It all depends on the circumstances. I don't think any of the offices get overly rich at the business.

**Mr. Ziemba:** Could you provide us with a list of the licence outlets and the amount of money that they earn?

**Hon. Mr. Snow:** Yes. I can give you any information on any office as far as that is concerned.

**Mr. Lane:** Mr. Chairman, on this question, I think it is a problem. The thing I have found is, that in spite of the fact that there is not much money to be made in the bureau itself, if it is in with a business whereby they accommodate it without expanding their staff or renting more space, they are able to serve the public. The way I and some of my people feel is that even though it doesn't do any more than just break even, maybe it does bring some business to their stores which they otherwise wouldn't get and it seems to be the little plus.

[8:30]

**Mr. Wildman:** I would have thought that, too, except that we searched for an awfully long time to find anybody in Hornepayne who would take it and none of the local merchants wanted it. The lady who took it was actually a housewife. She was not working outside the home and she decided she would take it as a service to the community. Now she has found it to be a bit of a nuisance, I guess, and she has decided she is going to quit.

Having said that, there is a rather unusual case in which apparently the Caisse Populaire in Alban applied to be able to issue licences

but the ministry had said "no". Here you have a case in which someone wants to provide the service—

**Hon. Mr. Snow:** I'm sorry; where is this?

**Mr. Wildman:** In the Sudbury area; Alban, near St. Charles.

**Hon. Mr. Snow:** If a community is too small to have any chance of being a viable operation and it is reasonably close to another issuer, we try not to grant or open another office because it draws business away from the one already there and may make both of them unviable.

Since I've been minister, I know we've had letters from several people saying "There is no licence issuer in our town—or our village—and I'd like to be the licence issuer." We look into it and see where the closest offices are, what the revenue from those offices is, try to assess how much business this new office might get and how it would affect the others. We try to explain it to the people in those terms.

**Mr. Wildman:** The member for Sudbury East, Mr. Martel, says that in the case of Alban the reason given by the ministry—I believe you wrote him a letter on this—was that you thought it would cut into the St. Charles agency. His argument is that the road to St. Charles is so poor that most people would drive to Sudbury rather than to St. Charles.

**Hon. Mr. Snow:** I can't understand that. With all the money we've spent on roads in the Sudbury area; there can't be a poor one left.

**Mr. Wildman:** Apparently, it is a better road into Sudbury and he feels people would drive into Sudbury. Really you would be providing a service by allowing the Caisse Populaire—Eli takes credit for everything in the north.

Interjections.

**Hon. Mr. Snow:** You asked about the number of offices between 1,000 and 2,000; there are approximately 20.

**Mr. Wildman:** Okay. Will you table for us a list of the agencies and the amount of money they made last year?

**Hon. Mr. Snow:** Yes, we can do that.

**Mr. Wildman:** Fine, thank you.

One other question: In areas where you have a difficult time getting someone to



take over or where there is not enough money to make it viable or attractive, is there any thought or any discussion in the ministry on having the ministry itself issue the licences—where you have an office of any kind in a community, whether it be a highways office or something, using some of your clerical staff to issue the licences yourselves?

**Hon. Mr. Snow:** Normally, it would certainly be most uneconomical for us to operate an issuing office. There are several reasons for having the private offices. There are 300 of them—298 or 300 or something like that—in the province. One is to give service close by and they do so at a considerable saving compared to operating and staffing ministry offices. In the smaller communities, it would be very uneconomical for us to do it on that basis. That is really why I'm recommending that we give the small offices an increase in fees to make it more worth their while.

**Mr. Johnson:** Are licences not available by mail?

**Hon. Mr. Snow:** Yes, they are. Anyone can write in to head office here or, I guess, to any issuing office.

**Mr. Humphries:** To one of our issuing offices which we have, say, in Ottawa or—

**Hon. Mr. Snow:** Can they write to an agency office as well?

**Mr. Humphries:** No, they must write to one of our issuing offices.

**Mr. Wildman:** Would you consider advertising that across the north because very many people are unaware of that. I have told people that but they seem surprised.

**Hon. Mr. Snow:** If they wait until the last day before they need their licence and write in, it takes a while to get it back.

**Mr. Wildman:** I would hope that something can be done in Hornepayne, at least, because travelling 80 or so miles to purchase a licence is just not acceptable.

**Hon. Mr. Snow:** If the lady in Hornepayne is going to give it up, in time, we'll have to see what we can do; get someone else for sure.

**Mr. Wildman:** And you will table those figures for us?

**Hon. Mr. Snow:** Yes.

**Mr. Chairman:** Is there any further discussion on 2403?

**Mr. Williams:** Is it a flat rate of 75 cents across the board or is there a minimum?

**Hon. Mr. Snow:** It's 75 cents per transaction. The agency gets 75 cents even if it is a \$2 trailer licence or a \$2 fee for a set of plates to replace a lost plate or something, or if it is a \$1,000 licence for a truck. It is still 75 cents per transaction.

**Mr. Williams:** Mr. Chairman, on 2403, item 3, examination, inspection and enforcement, could the minister elaborate on the current programme within the Metropolitan Toronto area as far as provision of facilities or expanded facilities for drivers' tests are concerned? They are normally available at the two facilities, I believe—the one at Downsview area and the one out in east Scarborough—but I understand there are plans for expanded facilities in the Metropolitan area. Could you elaborate?

**Hon. Mr. Snow:** We have no definite plans or no location that I can announce. We are investigating and researching right now the possibility of establishing off-street testing facilities. This has been used, I think in the United States. It is a specially designed facility where a driver can be tested and go through all the necessary tests without doing it in traffic.

**Mr. Williams:** Is this not presently done at Downsview?

**Hon. Mr. Snow:** Not totally, I don't think. It's a partial—Mr. Humphries would you like to comment on that?

**Mr. Humphries:** I'm sorry I didn't hear the question.

**Mr. Gilbert:** The minister was commenting on the off-street driving facility and the question was asked, is it anything like Downsview? The minister commented that Downsview would be a partial one but not what you are looking at down in the States, at the off-street driving examination centres.

**Mr. Humphries:** Right. At Downsview there is an off-street testing area which would be somewhat similar to a new installation but a new installation would contain more facilities. At Downsview we do have an off-street testing area.

**Mr. Williams:** Your other major facility is the one in Scarborough, isn't it? It has no off-street driving test facilities.

**Mr. Humphries:** Scarborough is nothing more than an office in a shopping centre, I believe.

**Mr. Williams:** There are no facilities there?

**Mr. Humphries:** All the testing is done on the public streets.

**Mr. Williams:** Isn't that facility being phased out? That one in Scarborough is in an old factory building, as I recall.

**Mr. Humphries:** This is what the minister has mentioned.

**Hon. Mr. Snow:** We have been looking at an area out there for a new facility but there are two reasons for it not being in the programme at the present time. One is it is not in the budget and secondly, we are investigating this new concept completely.

**Mr. Gilbert:** Mr. Chairman, right now, apparently, Maryland and Minnesota have developed this new approach which our people have got all the information on. This is what we are looking at because I think you would get rid of an awful lot of the complaints about driving tests in residential areas and that what have you which you are faced with around the Metro Toronto area.

**Mr. Williams:** Does the minister receive daily complaints with regard to driver testing throughout the area?

**Hon. Mr. Snow:** No, I wouldn't say daily. I don't know. There may be some. The ministry receives them. I haven't received too many myself.

**Mr. Williams:** How many driver test facilities are there actually in the Metro area?

I've mentioned the two, I presume there are at least two or three others, are there?

**Mr. Humphries:** Five, six.

**Hon. Mr. Snow:** Five, I believe. Five or six.

**Mr. Williams:** And the new concept you are considering, if introduced, would be located at additional sites, other than the ones you have in service at the moment?

**Hon. Mr. Snow:** There wouldn't be a lot of these developed because they take a fairly large site. They wouldn't be developed for smaller communities, but the main problem, of course, is in a place like Metropolitan Toronto. Probably in Toronto we would be considering perhaps two—one in the west end one in the east end, something like that.

**Mr. Williams:** I know the ministry acquired a site in the northeast sector two or three years ago. Nothing has been done with that site at the present time.

**Hon. Mr. Snow:** That was really purchased with a view to developing a central region office on that site and also a driver examination centre, but it would not be a suitable site for this new proposal we are considering.

**Mr. Williams:** That's the Sheppard site you are speaking of?

**Hon. Mr. Snow:** With the traffic problems in there I don't think it's an appropriate location now.

**Mr. Williams:** Right.

**Mr. Spence:** Mr. Minister, do you stress to your examiners who give these driving tests that they show the best of courtesy?

**Hon. Mr. Snow:** I would hope that all our employees do that. A lot of time we get a complaint about one who doesn't and we let him know about it.

**Mr. Spence:** That's great. I think you should stress to those examiners who give examination tests that courtesy must be shown. So many people, when they know they have to take a driver's test, get into a nervous state of frustration before the day arrives, and then if the examiner uses any unkind words with them whatsoever they just collapse, practically.

**Hon. Mr. Snow:** Quite often there are two sides to a story, too.

**Mr. Spence:** That's right too.

**Hon. Mr. Snow:** Periodically I personally get this type of complaint. I had a complaint about a vehicle inspector down in eastern Ontario, who did something similar to what you were talking about a few moments ago, which I'm having investigated and a full report prepared. If what I was told from the one side can be substantiated at all, I think that person needs to be reprimanded. Also, I had a complaint the other day regarding a driver examiner that I wasn't very proud of, which we are looking into.

**Mr. Gilbert:** Mr. Chairman, I'm not making any excuses for these fellows but we have them scheduled so they have to carry out 16 tests a day. As the minister says, certainly there are cases where we have found we have to take actions, but sometimes with the number of people they have and the kinds of people and scheduled for 16, I guess frustrations are built in.

**Mr. Spence:** It's a pretty heavy load. There are two sides to the story sometimes.

**Hon. Mr. Snow:** People are human and sometimes—I know you've run into the same type of people—some of the members of our race are not the most considerate people, either.

**Mr. Spence:** That's right. I know there are two sides but I just wanted to make sure because this has been brought to my attention quite a number of times.

**Mr. Gilbert:** Certainly we have had to take action, as the minister said, in some cases.

**Mr. Wildman:** We're sort of jumping back and forth here, but on motor vehicle registration, do you have a cross reference of the serial number of the vehicle with the licence plate number? Do you keep a record of that?

**Mr. Humphries:** The VIN number of the vehicle, the serial engine number and also the plate numbers all are on file for each vehicle, yes.

**Mr. Wildman:** So if a vehicle is stolen, you have both numbers. Is this done for all vehicles, motorcycles and mopeds included?

[8:45]

**Mr. Humphries:** Not motorcycles.

**Mr. Wildman:** What is the reason for that?

**Hon. Mr. Snow:** Mr. Sands, would you like to come to the front please. Mr. Sands.

**Mr. Sands:** Only the registrations on the computer would give that facility. The others are all manual files, sir, and we don't have that capability.

**Mr. Wildman:** Do you have any intention of changing that system so that they are on a computer at some time?

**Mr. Sands:** Possibly eventually, but not at the moment.

**Mr. Wildman:** I have a letter that was written by a gentleman—apparently he had some correspondence with you, Mr. Sands—in which he suggested that apparently his moped had been stolen and he asked if there was a cross reference and you informed him that there wasn't. He asked if it would be done, and I think you suggested that there was too much work involved, and there probably would be if you don't have a computer on it.

**Mr. Sands:** In fact, we do have that system set up for mopeds for this year only. So that is available to the police.

**Mr. Wildman:** Oh, it is. Okay. Then if it is stolen they can look at it that way. All right, fine.

**Mr. Chairman:** Any further discussion on vote 2403?

**Mr. G. I. Miller:** One thing further, Mr. Chairman, in connection with American trucks coming over, say in a situation where they come in for one day, do they have to get a special licence? American trucks, for instance, bringing their equipment in for a two-day tractor pull; do they have to have a special licence?

**Hon. Mr. Snow:** They get a special licence, I believe, for \$20 or something that allows them—

**Mr. Humphries:** They can get a trip permit. They can buy quarterly registration or annual registration or a trip permit, which gives them five days for \$20. Of course, there is free movement of trailers. Trailers don't have to be registered to come into Ontario, just the power unit.

**Mr. G. I. Miller:** It is not a courtesy thing. They definitely have to have that \$20 permit.

**Mr. Humphries:** Right.

**Mr. G. I. Miller:** Another thing, as far as truck awards are concerned, are there any pins available for long-term driving, for recognition of 20 years' safe driving.

**Hon. Mr. Snow:** I understand through the Transportation Safety Association.

**Mr. G. I. Miller:** And they are available?

**Hon. Mr. Snow:** Oh yes. The ministry doesn't have awards but the Transportation Safety Association has. In my particular area they have a big banquet every year for all the truck drivers and their wives and so on, and I usually attend it, and there are pins given out for 10 years', 20 years', 30 years' safe driving. There was a major one down in the Royal York Hotel a month or two ago, where I went down and presented safe driving awards to drivers from all over the province. But this is not direct from the ministry, it's through the safety association.

Vote 2403 agreed to.

**Hon. Mr. Snow:** Now, I am sure no one wants to discuss the next vote, which is provincial roads.

On vote 2404:

**Mr. Wildman:** I just was looking at your annual report, page 21, where you are talk-



ing about reaching amicable agreements for property settlements. When you need to obtain more land for widening a road or for building a new road, you need to buy the land, and you mention a large number of amicable property settlements so that a much smaller number of expropriations had to take place. I'm wondering how you go about reaching these amicable agreements. It would seem to me that for the property owner there is always the threat of expropriation behind the negotiations and that, I would think, could make it sort of a one-sided type of negotiation.

[There are a number of questions I have on that: For instance, how do you value farmland as opposed to residential land? Let's say you're in a rural area and you have a farm and a one-acre parcel of land beside it with a house on it. You're widening a road or something and you're going to take the same amount of land from the frontage of both pieces of property. Is the person with the farm going to get paid a lot less for his piece of property as opposed to the person who owns the residential lot? Can you respond to that?]

**Hon. Mr. Snow:** Of course, every piece of property purchased has an appraisal done on it; that's the first thing done. I believe in 1975-1976 we bought 1,500—I think I'm quoting the right figures—1,561 pieces of property. Just a moment. There were 409 applications to expropriate; there were 354 certificates of approval issued; there were 11 hearings of necessity held during the year. There were 12 hearings by the land compensation board and there were 20 applications made to the land compensation board to settle compensation. There were 13 awards settled during the year.

**Mr. Wildman:** When it comes to the appraising, though, is residential land appraised at a different rate from farm land?

**Hon. Mr. Snow:** Certainly it would be. It's appraised at the market value. The only way of appraising property is at market value. You could have, for instance, two properties side by side, the same size. One might be zoned commercial and one might be zoned agricultural and that has to be taken into consideration by the appraiser in establishing value.

**Mr. Wildman:** What about the situation in which you have a farm where, a few years ago, the farmer obtained a land severance, sold the lot and a person built a house on it. Now you're coming along and you want some

land, from both the farmer and the person who has bought the lot. If he were to sever another acre of land and sell it to somebody who was wanting to build a house he could probably sell it for a great deal more than you're going to pay him for the same acre of land.

**Hon. Mr. Snow:** That may be possible. First of all, he has to get a severance. Secondly, I don't know about in your area but in my area he has to pay a considerable contribution to the municipality and so on.

**Mr. Wildman:** No, we haven't got that far yet.

**Hon. Mr. Snow:** Normally, if we're taking a 17 ft widening strip or something off the side, we take a strip along the full side of the highway. Normally, it would be valued at the value of that land as farmland plus any injurious affection or any damage done to the property. Of course, if it's a new right of way, say, through a property in some cases the injuries are such that we buy the total parcel. Rather than cutting the parcel right in two and leaving a three-cornered piece on each side of the road, we may buy the total parcel from the owner. After the highway is completed we declare the surplus and sell it by tender or public auction.

**Mr. Wildman:** When it involves having to move something—let's say you are taking a 17 ft strip or whatever and it means you have to move a building further back on to the property—or it might be anything. For instance, you might have a situation in which someone has a florist business, say, or a nursery. He has really developed a display type of nursery in his front yard by growing a large number of expensive trees and so on and you are going to go through there. Part of the agreement might involve you moving those trees, is that correct?

**Hon. Mr. Snow:** That's correct; or moving the building in some cases. I know of a couple of instances in my own riding in which I am sure the ministry would have been better off to have bought the property outright, demolished the house and sold the balance off as a vacant lot. But the people wanted the house relocated, moved back 50 ft on the lot or something, and that is done sometimes.

**Mr. Wildman:** I have a case in my riding along Highway 17 east which, of course, is being four-laned in certain portions—

**Mr. Mancini:** Do you have a four-lane highway in your riding?

**Mr. Wildman:** There's a big story to that one.

**Hon. Mr. Snow:** You have one.

**Mr. Mancini:** We don't, and I'm going to bring this to your attention.

**Hon. Mr. Snow:** You have a little piece.

**Mr. B. Newman:** He doesn't have one.

**Mr. Wildman:** As of now, we have about four miles of controlled access in the whole area of the north, along Highway 17, but it is changing slowly. Anyway, there is a case, as I mentioned, in which there was a—

**Hon. Mr. Snow:** Mr. Ziemba will trade some four-lane highway.

**Mr. Wildman:** That's right. There is a garden development and part of the agreement was that some of these trees will be moved; they are very expensive trees, including a peach tree, and there aren't very many peach trees growing in Algoma, which actually produce peaches. That's very expensive. Apparently the agreement, when it was first reached, involved them being moved before early spring.

First of all, it was agreed they would be moved in the fall and then it was changed to moving them in the spring. They have yet to be moved and you have a situation now in which the trees are in bloom and it would be very dangerous to move them. They have to be moved because the work is going to be done this year.

Part of the agreement said originally that they would have until October of this year to determine whether or not the trees had been damaged; that was when they were going to move them last fall. The ministry has refused to update that now although the trees have not been moved so they would have until next spring, when the trees are about to grow again, to see if they are going to grow. The ministry is still maintaining it has to be October and I wonder why. Surely, if you have gone into an agreement by which you are willing to move the darned things you are going to be willing to make sure they are going to grow.

**Hon. Mr. Snow:** That is a specific instance so if you would write to me and give me the details—you are pretty good at writing letters.

**Mr. Wildman:** Yes, I write a lot of letters.

**Hon. Mr. Snow:** I get an average of about one a day from you so I am sure you could

write another one and not take the time of the committee to discuss that.

**Mr. Wildman:** All right. The reason I was bringing that up is not specifically that case, although I am concerned about the case, but I am wondering if these agreements are often reached and a person thinks he has an agreement that something will be done but it doesn't get done by the time—

**Hon. Mr. Snow:** I would say you are about second to Mr. McKeough for writing me letters.

**Mr. Wildman:** I try to work hard for my constituents.

**Mr. Chairman:** Shall we turn this over to the Minister of Agriculture and Food (Mr. W. Newman)?

**Mr. Wildman:** I am not talking specifically about this case. What I am concerned about is when an agreement is reached and it is not lived up to; or, let's say, the letter of the agreement is probably lived up to but not the spirit of it. What recourse does that person have other than having the MPP write a letter to the minister to have something done?

[9:00]

**Hon. Mr. Snow:** I hate to mention it after the discussion today, but I suppose he could write the Ombudsman. I think he would do better by writing to his local member.

**Mr. Wildman:** What provision is made for renegotiation of these agreements?

**Mr. Gilbert:** Certainly, when you talk about the spirit of an agreement, our agents don't try to hide behind an agreement. If something was agreed between the owner and the agent, the ministry is certainly prepared to look into that. The minister, as he said, gets a number of letters along these lines and the individual regional directors get letters such as that and we look into them. But there is no intention on behalf of the ministry to hide behind an agreement as far as a property settlement is concerned. As the minister has mentioned here, we make 1,561 agreements and only 400 and some through applications to expropriate. So I think those figures state for themselves that we do settle an awful lot of property settlements through amicable negotiations.

**Mr. Wildman:** You don't let your agents intimate that "you'd better agree or we're going to expropriate."

**Mr. Gilbert:** No, definitely not.

**Mr. Wildman:** Okay.

**Hon. Mr. Snow:** That has to take place sometimes.

**Mr. Wildman:** Sure, I know.

**Hon. Mr. Snow:** We do have expropriations.

**Mr. Wildman:** Obviously if the negotiation has been going on for a long time, but I'm talking about when you're first negotiating.

**Mr. Gilbert:** Not the settlement; we can say that we are prepared to apply to expropriate, but that is not fixing the compensation, that is only to allow the matter to go to the Land Compensation Board. We can't go to the Land Compensation Board unless we apply to expropriate.

**Hon. Mr. Snow:** Sometimes we have voluntary expropriation, where the people will request us to proceed with expropriation. They won't delay the project or they won't delay occupation of the land, but they prefer it to be done by expropriation rather than by negotiation. There are certain tax advantages in some cases where people, if they happen to be in that position, if they are expropriated, don't have to pay capital gains tax under certain conditions. If they use the money to buy a replacement property then they are not involved with capital gains tax, so they prefer to be expropriated.

**Mr. Wildman:** I'm sorry if I keep the minister's office too busy answering my letters, but I'll write a letter on this case.

**Hon. Mr. Snow:** Okay.

**Mr. Mancini:** Mr. Chairman, first of all I'd like to speak on behalf of my colleague, Dick Ruston, who represents the great riding of Essex North.

**Mr. B. Newman:** It's a companion riding to yours, isn't it?

**Mr. Mancini:** That's right, it's a companion riding to mine.

**Mr. Ruston** was unable to be here this evening but he has some very important things that he wanted me to put on record.

I'd like to discuss with the minister the Highway 3 bypass around, I believe, the Cottam area. I believe there was a great deal of property bought up there at one time. Mr. Ruston feels there is some surplus land in that particular area. He'd like to know what

you're doing with it at the present time and whether you're going to leave yourself enough property to construct a four-lane highway in that particular district? I'll just stop and let you answer that.

**Mr. Gilbert:** This was to do with surplus land, was it?

**Mr. Mancini:** Yes, he feels that when you were expropriating and buying land in that area, there was some extra. He'd like to know what's been done with it or what's going to be done with it, if it is possible to find out now, or maybe you could write him later on.

**Mr. Gilbert:** If it's surplus land, we usually wait until the construction is over and then we would put it up for sale by auction. But as I say, we would wait until the project is complete.

**Mr. Mancini:** Okay, we can get back to that later. Also then, could I expect a letter on behalf of Mr. Ruston concerning that, explaining it?

**Mr. Gilbert:** Yes, if there was a particular parcel that he's referring to.

**Mr. Mancini:** No, he just wants a general policy of what you are going to do in the area.

**Hon. Mr. Snow:** You see, when you buy land for highway widening and there is some surplus, it is better for us to hold that land until the highway is constructed, because sometimes you may need it for parking the construction trailers or something like that.

Or, sometimes during construction there is a change in grade or a change in alignment that may affect that piece of land, so if we disposed of it before we constructed and then had to change the alignment we would be buying some of it back. So we wait until the highway is constructed and then declare it surplus and sell it. If he has any specific parcels or area I would appreciate getting a little more detail on it.

**Mr. B. Newman:** Do you give any preference to the previous owner in the bidding for the parcel?

**Hon. Mr. Snow:** We certainly do, under the Expropriations Act, and even if the previous owner still holds adjoining land then, of course, he is given preference to buy it back.

**Mr. Mancini:** Okay, I believe that Mr. Ruston will be getting an explanation of what is going on in that particular area in



the riding of Essex North. Also, Mr. Minister I would like to bring to your attention the request made by the municipality of Sandwich West. I believe this was raised in the question period a couple of days ago. Mr. Ruston was visiting that part of the country because it is part of his riding and he happened to be there at an opportune time, when an accident occurred at the exact location where they are requesting a light. I have four or five pictures I would like the minister to look at.

**Hon. Mr. Snow:** Is this at La Salle?

**Mr. Mancini:** Yes, at the corner of Highway 18 and Laurier Dr. in La Salle, Ont. Mr. Ruston has left me a summary that he would like me to read into the record if I may, with your permission Mr. Chairman.

**Mr. Grande:** Did he cause the accident?

**Mr. Mancini:** No, he did not. It was a speeding NDeper who caused it.

On Aug. 10, 1971, this correspondence began with a letter from F. C. Brown of the Chatham office to the township of Sandwich West. On Feb. 17, 1972, there was another letter from F. C. Brown to the township indicating that a count was to be done. On Oct. 11, 1972, there was another letter from F. C. Brown to the township stating that there were no pedestrian accidents.

On Jan. 23, 1973, there was a letter from Mrs. Pauline Murray to the Hon. Gordon Cartwright explaining the problems in detail—that is the building of a new bank at the intersection—plus some 30 signatures from very interested people in the area, which included principals and teachers and church officials. On Feb. 28, 1973, there was a letter from Mr. Wilkes of the MTC Downview to the township advising that they were reviewing the traffic situation.

On March 6, 1973, there was a letter to Mrs. Pauline Murray also advising that a survey of traffic was to be conducted. On March 6, 1973, a letter from J. B. Wilkes to Sandwich West township to state that a new survey was unnecessary as the last one had been done in August of 1972, but they would do a vehicle turning movement count to 1973. On April 9, 1973, there was a letter from J. B. Wilkes and no date was given when the study was to be done. June 29, 1973, inter-office memo of township officials regarding the problem of speeding cars at the intersection.

Page 2: July 11, 1973, there were letters from the township of Sandwich West officials

and also Gene Whelan, MP, asking for help. On July 16, 1973, a letter from F. C. Brown to township that your ministry will not put in crosswalks or painting on the roadway. On July 31, 1973, a letter from J. B. Wilkes informing the township that the survey would be made Aug. 3, 1973. On March 7, 1974, a letter from the township to Mr. J. E. Gleason, MTC, asking for results of the traffic survey and why was Mr. Whelan informed before the township officials. On March 18—

**Hon. Mr. Snow:** I had a letter from Mr. Whelan today, as a matter of fact. He has a constituent who has lost his driver's licence and would like to get it back the way Mr. Marchand got his.

**Mr. Mancini:** Mr. Chairman, I move that be struck from the record because Mr. Whelan is not here to defend himself.

**Hon. Mr. Snow:** I apologize. I did get the letter asking that a licence be granted to this man who had lost it for impaired driving. He did not mention the other man's name. Of course, I would expect Mr. Whelan would know that that is not possible.

**Mr. Mancini:** On March 18, 1974, there was a letter from J. E. Gleason to the township explaining the reason for not approving the lights. On May 15, 1974, a letter from the township to the Chatham office requested no parking signs on the east side of the front row near Laurier Drive.

On July 2, 1974, there was a letter from the director of parks and recreation of the township to Mr. Jack Weiss of the Chatham office to ask for a repainting of the crosswalk and stating that it was dangerous to cross the street due to vehicle speeds of 40 miles per hour.

On July 4, 1974, a letter from the township to Mr. Jack Weiss of the Chatham office requesting traffic lights and more speed signs. On July 15, 1974, a letter from Mr. Paul Harrison, director of recreation, to the township council stating that white lines had been repainted but he also reported that there were still many close calls as motorists showed little respect for the crossing guards. Aug. 15, 1974, a letter from John Rhodes—your predecessor, Mr. Minister—that the traffic lights are not required; you will note that another minister has taken over.

**Hon. Mr. Snow:** Yes, I noted that.

**Mr. Mancini:** On July 25, 1975—I think you can see we are into our fifth year—a letter from the township to the Chatham

office requesting traffic signals and other warning devices. On July 28, 1975, a letter from E. Shov, of the Chatham office, stating that a new traffic survey will be conducted. On Dec. 5, 1975, a letter from E. Shov to the township that lights are not required and if they were installed it would not be in the best interests of the motoring public or the pedestrians. We sincerely question that, Mr. Minister.

On May 28, a letter from the township to Mr. Snow appealing the ministry's previous decisions and urging him to reconsider, particularly in view of the death of a young girl who was struck by a car. It also explained the township's plan to develop and enlarge recreation facilities which require better safety enforcement. Of course, you are in receipt of the letter of May 28, 1976, from the municipality of Sandwich West, so I will not read that into the record.

On May 24, 1976, Mr. Ruston met with a group of interested citizens in La Salle to discuss the situation. On Friday, June 4, at 4 p.m., Mr. Ruston made a visit to that area and while he was there an accident occurred. That's in the pictures you have. I think you will notice in those pictures you can tell that even after the accident there's quite a bit of traffic.

I would like you to know that we are very close to five million people who inhabit Detroit and they come over to the very beautiful county of Essex to fish, to visit our parks and Point Pelee park and they bring trailers to camp in. There are many trailer camps. We really feel and believe in that area that something is necessary. Also you have to take into consideration the type of township that Sandwich West is, with nearly 14,000 if not more people now. Most of it is strip development and along Laurier Drive the houses are one right after the other and traffic is very heavy. Also, La Salle happens to be situated between the town of Amherstburg and the city of Windsor and there are many commuting people. On behalf of Mr. Ruston and the people of Sandwich West, I would sincerely ask you to look into the situation. We also believe that the traffic count taken some time ago is wrong, Mr. Minister. We feel that you're about 400 or 500 cars short a day. With the Americans having their big Bicentennial celebration this year, if there's anything that you can do before the height of the summer comes, we sure would appreciate it in that area. If the minister would like to respond, I'll let him.

[9:15]

**Hon. Mr. Snow:** Mr. Chairman, I'm certainly aware of this. We've been looking into the particular situation and we regret very much the death of the young lady there. I understand that particular accident was not at the intersection, it was 300 yards down the road from the intersection, so it would be hard to say definitively whether the stop light would have had any effect in preventing that unfortunate situation.

**Mr. B. Newman:** It could have slowed up traffic though.

**Hon. Mr. Snow:** Normally stop lights are not designed to slow traffic. I don't think we put in stop lights at intersections where they're not needed strictly to delay traffic. Extensive surveys have been carried out at this intersection, I'm told in all the reports that I've received, and of course the ministry has a rather sophisticated system of evaluating an intersection as to whether it warrants the installation of lights or not. This particular section, certainly from what you have read into the record tonight, has been investigated many times.

**Mr. Mancini:** Since 1971.

**Hon. Mr. Snow:** Regardless of how many times you investigate the situation, you can't fabricate results of your investigations. The information I have here—now I'm not familiar with that intersection at all; in fact I don't think I've ever had the opportunity to be in the village of La Salle—indicates that the warrants for the installation of signals only are 50 per cent of the points or warrants required for signals at a particular intersection.

**Mr. Mancini:** I can't understand why the municipality would be so concerned. Being a former local politician and knowing how local governments work, I would have to think they wouldn't carry on a crusade for nearly 5½ years—

**Hon. Mr. Snow:** You mentioned additional parking signs were requested. Were they installed or not? As I understand, it's a four-lane highway at this particular stretch of road but two lanes are used for parking.

**Mr. B. Newman:** No, it wouldn't all be four lanes.

**Hon. Mr. Snow:** It's a four lane road curb to curb but parking on both sides, so it's two through lanes plus two lanes of parking. All I can tell you is the technical information that I have from my staff states that the intersection only comes within 50 per cent of

meeting the requirements for traffic control lights.

**Mr. Mancini:** During the summer months, Mr. Minister, traffic is backed up. There are many trailers that come over from the State of Michigan. As I stated before, there are over five million people in metropolitan Detroit. There's Bob-lo Island—

**Hon. Mr. Snow:** Five million don't all come to the—

**Mr. Mancini:** No, but we have a great area there to draw from and we try to draw from that area, at least that's what the Hon. Claude Bennett tells us anyway, that we're trying to draw from that area to get the tourists in. If we're going to continue to do so, well then I believe the municipality is right, that we're going to have to establish a stop light there, and with the type of vehicular traffic there, trucks and trailers and that type of thing, I think we need it.

**Hon. Mr. Snow:** Well, I'm sure all this is taken into consideration when the surveys are done. When was the last one done, according to those records?

**Mr. Mancini:** The last thing done, I believe, was a letter sent on Dec. 5, 1975, from Mr. E. Shov to the township stating that lights were not required. Then, on May 28, 1976, the municipality wrote another letter requesting you to intervene.

**Hon. Mr. Snow:** The ministry, I think, over the years has been monitoring the traffic conditions in this particular area. Unless we're going to throw out the total criteria system for the establishment of lights at a particular intersection, I don't know how we can install lights at this intersection. It only comes within 50 per cent of meeting the warrants; if it came within 90 per cent of meeting the warrants I would say let's go ahead and put them in and see if it won't improve the situation.

**Mr. B. Newman:** Are you aware of the tremendous development taking place in that portion of Sandwich West, in the La Salle portion?

**Hon. Mr. Snow:** I would only be aware of that by the results of the traffic counts taken.

**Mr. B. Newman:** People who may normally have used the drive coming into Windsor now would detour down Malden Rd. That may be one of the reasons they go the other way. They're going down Malden Rd.,

which is at the south end of Sandwich West, to come into the city of Windsor and come into their work, generally in the west end.

**Hon. Mr. Snow:** You say they're going a different route because there is no stop light at this location?

**Mr. B. Newman:** I would think they're going the different route because of the safety involved. There are a lot of school children in that neighbourhood.

**Hon. Mr. Snow:** There is not a high accident record.

**Mr. B. Newman:** I'm not saying there is. You have the figures; I don't have the figures. I'm just trying to tell you what they do.

**Hon. Mr. Snow:** All I'm trying to do is report the information that I have. My staff have been monitoring this for five years, obviously, by the correspondence and the traffic counts which have been taken.

**Mr. B. Newman:** I accept that, but I'm trying to show you that the people wouldn't be as concerned as they are, and they wouldn't have been concerned for five years, if in their estimation it wasn't a real problem in the area. I would hope that your people would be able to relook at the area and even meet with the council.

**Hon. Mr. Snow:** I'll find out when the last survey was taken. There's no use our spending scarce dollars and taking a new survey every month. If it's a year or two since there has actually been a traffic count taken we will do another one this summer during the busy season which is only a week or two away from us now.

**Mr. B. Newman:** That's all I think we would ask of you.

**Hon. Mr. Snow:** I understand there is a park there, a recreation area, and a crossing guard is on duty when the swimming pool is open.

**Mr. B. Newman:** Their plans are to enlarge the recreation complex there so that if it isn't warranted immediately, in the eyes of your ministry, it is going to be warranted fairly shortly. Rather than have something happen once again as happened just in the last week, if we can forestall it or prevent it completely, I think we should be looking forward to try to prevent any future accident in the area.



**Hon. Mr. Snow:** We'll review it again. I understand the member's concern. We'll have a senior ministry representative look at the situation again.

**Mr. Mancini:** Thank you very much, Mr. Minister. I would like to speak about my riding, the great riding of Essex South.

**Mr. Grande:** Who is the member?

**Mr. Mancini:** As I stated before, we in Essex South and in Essex county have felt for a long time that we haven't been getting our due.

**Hon. Mr. Snow:** Well, you've got a lot of red lines.

**Mr. Mancini:** Yes, I'm getting to that point. Mr. Chairman, let me have some order.

**Hon. Mr. Snow:** I just want to say that when I tabled this book in the House a month or two ago I got a note from across the floor of the House in about 10 minutes, from the hon. member who is now speaking, thanking me for a great programme in his riding.

**Mr. Mancini:** And I was just about to thank you again but you cut me off.

**Hon. Mr. Snow:** I immediately looked at the map to see how come there were so many red marks in Essex South. If the member was thanking me for all this I thought the minister must have been too generous in setting priorities.

**Mr. Mancini:** I was just going to say that we must be held in high regard because I feel we have got more work done this past year than the Hon. Lorne Henderson.

**Hon. Mr. Snow:** That's difficult. No, I'm looking at the map; I think Lorne has more red marks

**Mr. Mancini:** That is understandable.

**Mr. Wildman:** They're given according to the size of the individual.

**Hon. Mr. Snow:** Would you also notice in the great riding of Chatham Kent, the home of the Treasurer, there are no red marks.

**Mr. Mancini:** His have already been done.

**Hon. Mr. Snow:** He drew that to my attention, too. It just shows how fair we are in this ministry in our treatment of the opposition members.

**Mr. Mancini:** I was just about to thank you for that before you interjected.

**Mr. Williams:** Get up off your knees.

**Hon. Mr. Snow:** Even for the New Democratic members from West Toronto; we are building roads in their ridings.

**Mr. Mancini:** I would like to say a lot of the work you are doing is resurfacing work in areas which really need it; and some bridge work. I believe you are also going to do some major bridge repair in my home municipality of Anderton township. That brings me to my central point of discussion or one of my central points of discussion.

We are concerned about that area. We would like to know here, so we could have it on record, what plans you have for Highway 18 from Amherstburg to Windsor; what plans you have for the near future and what plans you have for the distant future. How do you intend to obtain the land on Highway 18 where there has been some quite extensive strip development? Maybe you could comment on that right now?

**Hon. Mr. Snow:** As you know, we had a meeting in my office a few months ago with representatives of Amherstburg and Anderton discussing this particular road. As you know, there is one new project going ahead on the road this year. Naturally in rebuilding roads in a built-up area you do require properties. We would, of course, follow our normal property acquisition procedures in purchasing what land we have to have. This is under the Expropriations Act and it is a rather slow procedure. We have to start planning our road programme four or five years ahead of actual construction in order to do the necessary planning, municipal consultation and acquisition of land in order to get ready for the actual construction season. We do have plans for rebuilding that road. Mr. Harvey is here; maybe he could give you more details on actual timing. We have some plans, I think, within the next five-year programme.

**Mr. Harvey:** Yes, we have a five-year programme on the entire road, for four lanes within five years.

**Mr. Mancini:** Do you feel that the whole area will be four lanes from Amherstburg to Windsor within the next five years?

**Mr. Harvey:** That is the intent.

**Hon. Mr. Snow:** It all depends upon the budget.

**Mr. Mancini:** I see. Are you going to do that in patches the way you have been doing it or is it because the two sections you are doing are bridges? Is that why those were done separate? Are you going to continue to do it in patches?

**Mr. Harvey:** The first section we do will probably be at the north end, the Windsor end, because the traffic is higher. That is the section from Windsor down to the existing four lanes.

**Mr. Mancini:** To that River Canard bridge?

**Mr. Harvey:** That's right. The second part will be from Amherstburg north to the River Canard again.

**Mr. Mancini:** Would that be done all in one strip?

**Mr. Harvey:** No. It would be done probably on two separate contracts.

**Mr. Mancini:** No, I was talking about the section from Amherstburg going north toward the Canard bridge. Would that be done all in one section?

[9:30]

**Mr. Harvey:** That's correct.

**Mr. Mancini:** I see. Okay; I think that's all I'd like to know on Highway 18 right now. Since Leamington is the other major centre in my riding and there is no four-lane highway going from Leamington to Windsor, I get continual inquiries—

**Hon. Mr. Snow:** We have a terrible time trying to figure out the people who want four-lane highways and the people who don't want four-lane highways.

**Mr. Mancini:** I'm trying to make it plain that we want some, if it's possible.

**Hon. Mr. Snow:** Even within the NDP caucus I have trouble. Some of the members want very much to have four-lane highways in their ridings and others don't.

**Mr. Wildman:** Surely, you understand there are differences between the north and the south?

**Hon. Mr. Snow:** I've been told that.

**Mr. Grande:** That's what farming is all about.

**Mr. Mancini:** I'm sure you would have trouble with the NDP caucus, Mr. Minister.

**Mr. Grande:** We do our job.

**Mr. Mancini:** Going from Leamington to the Windsor area on Highway 3, I've had many inquiries on this, the same as for Highway 18. We certainly are concerned about that section of the county. I think Windsor is about 45 to 50 minutes away and we have to drive through two or three little villages to get there. During the summer the traffic is very heavy—

**An hon. member:** Bumper to bumper?

**Mr. Mancini:** That's right, bumper to bumper. We realize that you have bought some property there and we also realize that you are selling property there which has brought some confusion to my mind and to the minds of many people. We'd like to know what your plans are and when you plan to initiate your plans?

**Mr. Gilbert:** What part are you talking about?

**Mr. Mancini:** Going from Leamington to Windsor.

**Mr. Gilbert:** Any particular part along there?

**Hon. Mr. Snow:** I have some notes here regarding the section between Leamington and Essex.

**Mr. Mancini:** Okay; we'll start there.

**Hon. Mr. Snow:** We have purchased additional rights of way in that section and surplus property, farmland, is being sold off. This would be land that was purchased in addition.

**Mr. Mancini:** Why would you sell that before you finished construction of the road?

**Hon. Mr. Snow:** I presume it must be land that we know we're not going to require.

**Mr. Mancini:** I see.

**Mr. Gilbert:** It would likely be where we have bought quite a bit more than what the right of way would be, like entire holdings. I would assume that's the part you'd be talking about, because it's farmland we're talking about, isn't it?

**Hon. Mr. Snow:** We have some leases on surplus farmland and some of the surplus land is being sold off as the leases expire.

**Mr. Mancini:** What about the timing of the programme? Do you have any indication?

**Hon. Mr. Snow:** That section of road, because of the constraint programme, is being reviewed by the southwestern region.

**Mr. Mancini:** Then you're telling me it's not in the five-year programme. Is that what you're telling me?

**Hon. Mr. Snow:** There will be improvements within the five-year programme according to the information I have but the final design of the improvements has not been decided yet.

**Mr. Mancini:** Leamington has at least 12,000 people and the surrounding municipality has another 10,000 or 12,000 people; the only large centre these people have, other than Chatham, is Windsor and the traffic there is very heavy.

**Hon. Mr. Snow:** There are many municipalities with 12,000 and many with more than 12,000 people which don't have four-lane highways.

**Mr. Mancini:** I daresay there are very few counties in the province which don't have any four-lane highways.

**Hon. Mr. Snow:** You have 401.

**Mr. B. Newman:** Not in your riding.

**Mr. Mancini:** That's in Mr. Ruston's riding.

**Hon. Mr. Snow:** We don't survey highways by ridings.

**Mr. Mancini:** I wanted to bring that to your attention. As far as 401 is concerned, that's just a connecting link for a major highway. That serves no purpose actually for the county residents unless they are going to Chatham or to London. What we're concerned about is proper highway links within the county. And certainly you can't have proper highway links if you don't include Leamington and Amherstburg.

**Hon. Mr. Snow:** We have many demands throughout the whole province and I'm sure every member can recite highways within their ridings which they feel should be improved. I could tell you quite a few in my riding that I'd like to see improved as well. If you look through our programme for this year, in the 18 districts within the province, you will find that there is considerable new construction activity being carried out in every district. There is considerably more in some districts than others because of priorities.

**Mr. Mancini:** We're grateful for—

**Hon. Mr. Snow:** Our provincial roads budget, I have to tell you, and I'm sure you've looked at the estimates, has been severely constrained this year; there is \$40 million less for provincial road work this year than last year.

**Mr. Mancini:** That's why I want to bring this to your attention. I want to voice my opinion very strongly about this so that in future years you can consider the county of Essex for a four-lane major highway to connect the major areas with the city of Windsor.

**Hon. Mr. Snow:** We told you that Highway 18 between Amherstburg and Windsor is within our five-year programme.

**Mr. Mancini:** All right. What about Highway 3?

**Hon. Mr. Snow:** I can't tell you that Highway 3—

**Mr. Mancini:** It's got to be included in some type of programme.

**Hon. Mr. Snow:** I can't say that it's—it's not in our five-year programme for a four-lane road. There will be some improvements made to it within the five-year programme.

**Mr. Gilbert:** Resurfacing.

**Hon. Mr. Snow:** I can't tell you that we're going to have that road four-laned within five years because I just don't think it will be possible.

**Mr. Mancini:** If that's the case, I'd just like to register my disappointment. I'll end there.

**Hon. Mr. Snow:** You can't win them all.

**Mr. Grande:** That was strong.

**Mr. Lane:** Mr. Chairman, I realize the clock is ticking on there and we haven't got much time to spare but I think I have some concerns and my people have and I should make them known again tonight.

**Mr. Grande:** Mr. Chairman, I'd like to rise on a point of information.

I understood earlier that there was an agreement—or an agreement was reached—that since there are two or three more votes to be covered, the remaining time would be divided evenly between these votes.

**Mr. Wildman:** No, we didn't say that. We said we would save time but we took a little longer than we expected.



**Mr. Williams:** Let's hold the speeches down to 10 minutes.

**Mr. Chairman:** It has been agreed that the estimates will be concluded by 10:30 and we have to do municipal roads yet.

**Mr. Lane:** Mr. Chairman, if I may, on a point of clarification for the last speaker: I have probably talked more about four-lane highways in the last five years than anybody else and I haven't got any yet so don't feel badly. I haven't got it all either.

This minister and former ministers have listened to some of the problems I have brought to them and many problems have been, are being or will be corrected. There are three points I'd like to make tonight which need to be looked at. One is the possibility of a road from Killarney to Whitefish Falls.

At the present time schoolchildren traveling to school in Sudbury have to travel 150 miles round trip. If anybody needs an ambulance in Killarney, it's 150 miles; it's the same for firefighting equipment, etc. If we had this road from Killarney to Whitefish Falls, the round trip would be about 80 miles rather than 150 miles.

The former minister, the Hon. Mr. Rhodes, did make an announcement in Espanola about a year ago that a hard look would be taken at this. I realize that in a year of restraint there is no point in talking about doing it this year and it's not likely next year either. I want to get on the record that we do expect to have this situation looked at in the not far distant future.

The other one that I think we're all aware of but would be much more costly, is the need for a new high level bridge at Little Current. The swing bridge at Little Current has been there for many more years than I have been around and each year the boat traffic gets heavier and the highway traffic gets heavier, and now the bridge swings to let the boat traffic through and the highway traffic backs up two or three miles at a time. The old bridge is getting a little shaky and should it be one night that one of those freighters happens to take a poke at it we would not even have any highway traffic to and from the island.

**Hon. Mr. Snow:** The Chicheemaun?

**Mr. Lane:** No, the Chicheemaun doesn't run there; it's the big freighters that run in there. This is something that we are going to have to look at very seriously in the next few years, and I know it will be a rather high-cost project when it comes about.

The other one I brought to the attention of both former ministers, and I haven't mentioned it to you, sir, but it makes a lot of sense to me and I realize you are trying to get rid of roads now rather than take on more, but there is one situation in the riding in Manitoulin known as the Old Government Rd.

It's partly in Tehkummah township and partly in Carnarvon township, and at the present time we are doing a partial resurrection of it by the townships doing the construction work and the ministry doing the resurfacing. The townships are doing this, of course, with supplementary subsidies from last year. In actual fact we are really paying for it. The traffic that comes through this road is not generated by the two municipalities that have the responsibility of looking after it.

**Hon. Mr. Snow:** I'm sorry, John, which road are you on now?

**Mr. Lane:** What is called the Old Government Rd., between Providence Bay and Tehkummah. We are just doing a resurfacing job there now, sir. At the present time, Highway 551 stops in Providence Bay. It's 12 miles more down to link it up with Highway 542, and seeing that the government is paying for it in the long run, it makes sense that we would extend Highway 551 to link up with Highway 542 rather than having a dead end there. The way it is now, each municipality does its own grading and its own snowploughing; there are two operators and two pieces of equipment; everybody is doing his share and turning around and going back home and the other municipality does its share.

They could do it cheaper in the long run by doing a total job. I just wanted to get it on the record that to save the taxpayers' funds in the future and to give a better service to that area, we should extend Highway 551 to link up with 542, because the traffic, as we pointed out yesterday, on the ferry keeps going up. In 1974 it was 115,000, in 1975 it was 225,000, and this year it's likely to be 300,000. It will keep on going up and this generates traffic on this road.

**Hon. Mr. Snow:** That's really putting Manitoulin Island on the map though.

**Mr. Lane:** Sure, I'm not complaining. As a matter of fact, it's just that one thing leads to another—the good service on the ferry is causing some hardships on the highway.

**Hon. Mr. Snow:** We'll look into all these matters. Certainly I know the bridge and the road that you are talking about going into Little Current, but as you well know, high-level bridges are tremendously costly items. I know we were looking at one the other day that I think was in the neighbourhood of \$15 million.

**Mr. Lane:** I am fully aware of this and I am sure you are aware of the problems I mentioned.

**Hon. Mr. Snow:** Those big expenditures are hard to fit into a very constrained budget like we have at the present time.

**Mr. Lane:** Maybe two or three years from now we will be a little more free with the dollars and be able to do some of the things. I wanted to get on the record that these are concerns of my people and they will have to be corrected in the not too distant future. Thank you very much.

**Hon. Mr. Snow:** We'll keep them in mind.

**Mr. Spence:** Mr. Chairman, I have a constituent in my area who feels as if he has been taken to the cleaners. This constituent is a machinery dealer in the village of Thamesville along Highway 2, and before 1965 he bought 20-odd acres of land out in the township of Camden in Kent county. In 1965, officials of the Department of Highways at that time came along and said, "We want to buy an acre of this land you own in the township." In their negotiations about price, they offered him \$2,500 for this acre of land.

[9:45]

They were going to put an underpass or an overpass where the Canadian National Railway crosses Highway 2. They told him in their dealings, "If you don't sell, we can expropriate this acre of land." He said, "I might as well sell then" and he sold one acre for \$2,500.

This implement dealer rented this land for a number of years from your department, Transportation and Communications, at \$100 a year. In 1975, your officials came down and said, "We have changed our plans and we don't need this property any more so we are going to put it up for sale." They told him, if I remember correctly, "We are going to put it up for public bid so the highest bidder will get it. If you match the highest bid, that's your property."

I have been informed—I wasn't there—that there was only one bid that day and it

was \$16,500 for this acre of land. He really thought he had been taken to the cleaners. He had sold it for \$2,500 ten years before and he had rented it for a number of years at \$100 an acre. He had to put up \$14,000 this year. There was the threat in 1965 that if you don't sell this land, we can expropriate it. He didn't want to sell because he had this machinery business in the village and he wanted to move out of the village into the township along Highway 2.

He sold this land against his wishes and then the Department of Highways—it is a fair settlement if somebody doesn't have some grievances or something about the department getting this land away from him. The bid was \$16,500, so it cost him \$14,000 after Ministry of Transportation and Communications took this over or bought it from him in 1965. He thought that was a real fleecing. He has paid over \$14,000 because he got \$2,500 in 1965.

We contacted your officials in London. We contacted a number of your officials in Toronto and then I told this Mr. Jim Houston that I had done everything I could and everybody said that is the programme; that's the way they dispose of highway property. It goes to the highest bidder and if you match the highest bidder's price, it's your property. There is nothing wrong with that but it was the price that was bid on the first bid, \$16,500, for an acre of land. That's a record in Kent county and in southwestern Ontario.

**Hon. Mr. Snow:** I don't know—I can understand the way the fellow feels, exactly.

**Mr. Gilbert:** It was another equipment dealer though, wasn't it?

**Mr. Spence:** He was an implement dealer; yes, another implement dealer.

**Hon. Mr. Snow:** That adds insult to injury. We purchase land at market value.

**Mr. Spence:** That's right.

**Hon. Mr. Snow:** And we sell land, surplus land, at market value.

**Mr. Spence:** This was public; it was fair.

**Hon. Mr. Snow:** I think it is the only fair way to do it. We are dealing with the taxpayers' dollars when we have surplus land and periodically, in a case of this kind when land is bought and plans change, it's a difficult situation. I don't think we can—I think you would be criticizing us more severely if we were selling government-owned land without recouping—

**Mr. Spence:** As much as you can get.

**Hon. Mr. Snow:** —as much as we can get—

**Mr. Spence:** Well, that looks like a little too much.

**Hon. Mr. Snow:** —or at least market value.

**Mr. Spence:** I even, Mr. Minister, excuse me—

**Hon. Mr. Snow:** When you put it up for public auction we have no control over how much people are going to bid for the land. In this case, because the man was the previous owner, he was given the opportunity at least not to lose the parcel, to get it back—in other words, to match the highest bidder. He was given a concession there. In 10 years—we all know what's happened to land values today.

**Mr. Spence:** But not \$14,000.

**Hon. Mr. Snow:** I'm sure I could give you lots of examples of where it has gone up a lot more than that.

**Mr. Spence:** Not in that area.

**Hon. Mr. Snow:** I don't have an easy answer for you. I know the way the fellow feels but, on the other hand, considering the amount of land we buy and sell every week, you might say, I think we, in the ministry, have used people fairly both ways. There is always the odd—

**Mr. Spence:** This is the odd one.

**Hon. Mr. Snow:** —person who, no matter what you pay for the land, feels he is not getting enough. I think the fact that we buy the vast majority of our land by negotiation proves that we're using people fairly because of the low number of cases in which we have to expropriate.

**Mr. Spence:** Of course, as I understand it, this was his opposition and it looks like he took him down the garden path.

**Hon. Mr. Snow:** It looks like somebody was out—

**Mr. Spence:** This is something I—

**Hon. Mr. Snow:** I'm not making light of it but I just—

**Mr. Spence:** Anyway, I was so interested in this that I told this gentleman "I would say Lorne Henderson is the closest cabinet minister to you. Hand it over to him because I've gone as far as I can go."

**Hon. Mr. Snow:** Lorne talked to us about it, too.

**Mr. Spence:** Lorne did and he came back with no results.

**Hon. Mr. Snow:** So he didn't get any more consideration? Even big Lorne didn't get any more consideration than you did. See how fairly we use everybody?

**Mr. Spence:** I had to bring it to your attention.

**Mr. Grande:** You mean you use people?

**Hon. Mr. Snow:** Treat people, I suppose, is a better word. Change the record, will you?

**Mr. Spence:** I'm sorry, did I say "used"?

**Mr. Grande:** No, he did.

**Ms. Sandeman:** I understand you've had a series of people telling you that they want four-lane highways or they don't want four-lane highways. I would like to get into that discussion.

I think I could best sum up my feeling about four-lane highways with a comment somebody made to me when I said I had a distinct aversion to a particular four-lane highway—a new bypass mooted to go north of Peterborough. I voiced this opinion at a meeting to discuss this four-lane highway and a township councillor from one of the surrounding townships leaned over to me and said, "You know, Gill, being against four-lane highways in 1976 is like being against motherhood." I thought he was right in a sense but one should only be for motherhood when it is carefully planned and required and you're sure you can handle the consequences of what you're talking about.

I think four-lane highways are like motherhood in that sense. We shouldn't rush into it and as somebody who had three kids in two years, I know of what I speak.

**Hon. Mr. Snow:** No, you can't rush it. It takes its time.

**Ms. Sandeman:** I would like to ask you briefly again to reconsider doing any more work on the planned Peterborough bypass north of Peterborough. I think that bypass has divided itself naturally into two sections now. One section is south of the city, on which work will begin very soon, and I think everyone—

**Hon. Mr. Snow:** That's the 115 extension; across the north of the airport there.



**Ms. Sandeman:** That's right, the 115 extension. I think everyone has agreed on the necessity for that. It brings the traffic into the south end of the city—he commercial portion of the city—in a very sensible way and cuts out a steep hill and that kind of thing. But I'm very concerned that the need for the bypass north of the city was never really proved, in my opinion.

The needs study is a very interesting document. It was done, I guess, as all bypass studies are done by counting traffic on the roads and extrapolating the needs in the future. The needs study—

**Hon. Mr. Snow:** I assure you it's not going to be built this year—or next.

**Ms. Sandeman:** I know that, but I would like you to consider stopping the spending of large amounts of money which is going on at the moment. I'm concerned about the needs study because it seems to me it isn't a needs study which looks at total needs and it relates only to a small part of the traffic usage of that road. The needs study says: "Perhaps the most significant station relating to the Peterborough bypass was on Highway 28, just north of Highway 115, on a typical summer Friday between the hours of 4 to 5 p.m. and the hours of 7 to 8 p.m." That is the peak period of traffic, and when you break down the needs you can see that a great deal of the traffic at those peak hours is summer holiday traffic, cottagers going to their cottage. It seems to me that is—

**Hon. Mr. Snow:** I'm well aware of that. I used to drive through Peterborough every weekend going to my cottage.

**Ms. Sandeman:** And were you annoyed if you had to slow down a little?

**Hon. Mr. Snow:** That was quite a few years ago. You go right through downtown—

**Ms. Sandeman:** You don't have to do that anymore.

**Hon. Mr. Snow:** Of course, the "in" and "out" store was right on that street.

**Ms. Sandeman:** Yes, we've one on the bypass now. It seems to me that if we are building four-lane highways to help Torontonians get to their cottages 10 minutes sooner, we're doing nobody a service. We're spending a lot of money for a small section of society who are lucky enough to own a second home, perhaps lucky enough to own it in the Kawartha Lake area, which everyone would agree is a pretty attractive part of the countryside. But I really don't think we should

be looking at four-lane highways for that half-hour on a Friday evening. I used to travel that road a great deal in my previous life and I can assure you—

**Hon. Mr. Snow:** I'm not sure we're planning a four-lane bypass in that location.

**Ms. Sandeman:** Oh yes.

**Hon. Mr. Snow:** I mean we may be protecting the right of way for it, but I doubt very much whether you or I will live long enough to see four lanes.

**Ms. Sandeman:** I hope to live to 1990. We're talking, in fact, about planning roads to ease the Friday evening summer traffic problem and I think that's a frivolous way to plan roads, particularly at a time when the needs study calls into question the suggestion that the increased price of energy resources may cause people to cut down on travelling long distances.

I know this road is a long-term proposal, but we've already spent \$394,000 apparently on studies and other activities. The need was taken for granted based on holiday traffic. That traffic has already been routed around the city, and you know that's being done.

**Hon. Mr. Snow:** Ms. Sandeman, the Highway 134 you're referring to, as you are probably aware we have a programme—

**Ms. Sandeman:** To upgrade that, yes.

**Hon. Mr. Snow:** —on that this year, for the north half of that, to upgrade that road and that does, for the present time I think, supply an adequate bypass. It is certainly a great improvement.

**Ms. Sandeman:** Yes, it certainly does.

**Hon. Mr. Snow:** I believe when that bypass, if I'm not wrong, was arranged or decided upon or that road was taken over from the county system to become a provincial highway—it was formerly county road No. 34, I believe, and it was taken over and re-numbered provincial highway 134—I think the agreement with the county at that time was that this would not be the permanent bypass, it would only be an interim bypass and that we would proceed. Is that not right Mr. Bidell?

**Mr. Bidell:** Yes.

**Hon. Mr. Snow:** So we have proceeded to carry out the studies and to select the route and to protect the route for future needs.

**Ms. Sandeman:** My argument is, I don't think the future need has been proven enough in balance with our problems; around energy use and certainly around the farmland that's going to be taken up. I know that the planning people have been careful to take the least possible acreage, but it is still farmland and it's good farmland. A lot of it is excellent dairy farmland. They plan high level bridges over the river in an area of great beauty; there's a wildlife area at Trent University.

There are many problems connected with that road which I don't believe, either now or in the future, justify all that money and all that energy just to save the Toronto cottagers a little bit of pressure on a Friday evening or a Sunday evening.

It seems to me that if you do have that money to spare—the \$394,000 has already been spent and can't be retrieved—but if there is more planning money to spare it should go into studying the improvement of public transportation between Peterborough and major areas, particularly Toronto and Ottawa.

[10:00]

The rail service at the moment between Peterborough and Toronto is a disaster. I know that is not particularly your area but I think we could be considered in the catchment area for the GO rail transportation. Again, I know it is not your problem but at the time when Mr. Trudeau, in the federal election, was making massive promises about—

**Hon. Mr. Snow:** Thank God he's not my problem.

**Ms. Sandeman:** He's everybody's problem. At the time when he was making the promises about improved passenger rail transportation across the country, they were ripping up the railway tracks east of Havelock so we can't get from Peterborough to Ottawa by rail any more.

We need improved public means of transportation from our city to other major areas, not just for the benefit of the cottage traffic on a Friday evening although that might help them as well, but because we are a town which, at the moment, has an enormously high unemployment rate. Many people who are concerned with the economic development of the area believe that improved public transportation corridors would encourage small businesses to locate in our city.

I think it is more important for our city at the moment to have public transportation

of high quality and easy accessibility than it is to be even considering that darned four-lane highway for those cottagers who come through on a Friday evening. I know your arrangement over the county road is temporary but I think the money being spent on upgrading that—you don't degrade it; you will continue to maintain that road and I think it will be adequate for the foreseeable future, far longer than this planning study covers.

If it isn't, may I suggest to you a strategy which is used in European countries in areas where there are high concentrations of traffic for a few hours a week, as we see around Peterborough. They signpost the minor back roads with little signs saying "Holiday Route" and there is a flag every couple of miles, and you take it. It's not a first class road but it's quieter; it gets you off the main artery; it shows you how to bypass the traffic jams and you get there in the end. That seems to me so sensible.

It doesn't cost anything except a truck to go out and put up the temporary signs and take them down again after the holiday weekend. It gets the traffic moving through there. It spreads out the traffic and gets people where they want to be without spending \$30 million or \$50 million on a four-lane highway to achieve the same purpose.

I come back to my original remarks. It's like motherhood—you do it in a way which is most sensible at the time you need it and I don't think we need this road. I don't think it's sensible. I don't think it's a good use of money and it certainly overlooks or seems to have transplanted the other major priority which is public transportation into and out of Peterborough.

**Hon. Mr. Snow:** I don't disagree with many of your conclusions on this. I certainly agree the southern bypass of Peterborough has to have much higher priority and designating this route is one of the matters I have had to deal with since I became minister. Of course, the studies were going on for a considerable time before that.

I do know the area quite well. I know we have work going on on Highway 115 this year. Actually, the contract was awarded last fall shortly after I became minister and it is to make that a safer route at some of the dangerous or accident-prone locations. I assure you there won't be any capital dollars spent on this proposed bypass in the near future and certainly it will be re-assessed before any money is spent.

**Mr. Johnson:** I'd like to put in a request for any money Ms. Sandeman doesn't want.

**Ms. Sandeman:** Oh, no, we need it.

**Hon. Mr. Snow:** Excuse me, I wanted to comment on public transportation. The rail situation, I know, is like it is in so many areas of the province—there is inadequate rail service. I believe there is one passenger train which comes to Toronto in the morning.

**Ms. Sandeman:** At 6:45 a.m.

**Hon. Mr. Snow:** And there's one in the evening to Peterborough—that is much better than many areas have. I think Peterborough has to have one of the best bus services, as far as public transportation is concerned. I believe there is a bus every hour?

**Ms. Sandeman:** No, it is every two hours; every two or three hours. The bus service is good.

**Hon. Mr. Snow:** I think there is reasonable bus service anyway, from Peterborough to Toronto via Colonial.

**Ms. Sandeman:** But you can't move industrial stuff by bus, except little parcels. A train is a much better way of moving—

**Hon. Mr. Snow:** Oh well, yes, of course there is rail freight service to Peterborough. There is no doubt about that. The passenger service is minimal and that's what I have been telling some of your colleagues, that you can't move freight via public transit. There are things called trucks, that you have to have roads to go on.

**Ms. Sandeman:** Of course, you can tie your public trucking system in with your train and make it a nice package deal.

**Hon. Mr. Snow:** I won't get into debating that philosophy with you here in the time we have got tonight, but rail freight movement for a short-distance haul like Peterborough-Toronto used to be the way to move freight 50 years ago, but today I am not convinced we are going to get back to moving the majority of freight over that length of distance by rail.

**Ms. Sandeman:** I think we may have to consider it again by electrified rail in the future, but, as you say, that's not a debate we can get into right now.

**Mr. Chairman:** I have the following speakers: Johnson, Williams and Miller. I am wondering

if we could cover this by 10:15 and that would give us 11 minutes on the municipal roads programme. Could I have the concurrence of the committee?

**Mr. Johnson:** That's a good idea. I will only be a few minutes. My riding, Wellington-Dufferin-Peel, is approximately 4,500 square miles, and I see a 1¼ mile highway and one red dot. I am not sure what that means. Since this is the night that everyone seems to be reading into the record the requests for the future, I would like to make a request for the ministry to consider Highway 10 from Brampton to Shelburne. It's a pretty good highway now but it does need some improvement.

**Hon. Mr. Snow:** Your riding is so big it is in two districts.

**Mr. Johnson:** I know it is. Highway 10 is in excellent condition but there are a few sections that are fairly dangerous. I think we need some passing lanes. There is extremely heavy traffic, mostly gravel trucks from the Caledon district and a lot of stock trucks from the north, especially from Eddie Sargent's Owen Sound area. Most of the Peninsula traffic comes down through Highway 10 and at the present time it is four lane in certain sections. I hope in the future—possibly not in the near future, but some time not too far away—there is consideration given to making a four-lane highway, but at the present time if you would even add a few extra passing lanes—

**Hon. Mr. Snow:** What section is this you are concerned with, Jack? Between Orangeville and Shelburne you say?

**Mr. Johnson:** Yes, Orangeville and Shelburne is the worst section at the present time, but the areas from Caledon through Orangeville and south of Caledon, down toward Brampton, are pretty good. It is just in a couple of sections it needs upgrading and it is basically a matter of passing lanes for the time being.

**Hon. Mr. Snow:** The former member was very active in that Caledon area you know.

**Mr. Johnson:** Some sectors. We have a heavy concentration of truck traffic and then in the weekends there is a tremendous influx of—

**Hon. Mr. Snow:** All those Toronto people heading for Collingwood, Owen Sound and the Bruce Peninsula.

**Mr. Johnson:** Yes, heading north, it's a seven-days-a-week heavy traffic pattern. So if



there is any money in the future, this is one highway that I wish you would keep in mind. That's all.

**Hon. Mr. Snow:** I know there could be some improvements made in that Primrose to Shelburne section.

**Mr. Johnson:** It is quite narrow in places and dangerous on the weekend.

**Hon. Mr. Snow:** I am aware of that one.

**Mr. Williams:** Mr. Chairman, just before I start, I want to be clear here. We have limited further discussion on this item until a quarter after. Will each of the three parties be given five minutes precisely?

**Hon. Mr. Snow:** Just a minute Jack, you know we are doing that Airport Road and 89 intersection; that's on this year. That's up in the corner of your riding, I believe. There is a major job on there at that hill in that intersection.

**Mr. Johnson:** What intersection?

**Hon. Mr. Snow:** It's 89 and Airport Road. Sorry, John.

**Mr. Williams:** Mr. Chairman, I was just going to ask before I start on this, you wished us to finish this item by a quarter after and finish off with municipal roads?

**Mr. Chairman:** The last 15 minutes on municipal roads.

**Mr. Williams:** On the understanding that the time will be divided equally among the three parties on municipal roads, otherwise somebody will talk this out.

**Mr. Chairman:** It is pretty important.

**Mr. Williams:** I want to be one of those speakers.

Mr. Chairman, a question and then a comment on the Huntsville district road programme, contract 7558, Highway 11, from 0.4 miles north of Highway 117 northerly for a stretch of 7.2 miles. This is a continuation of work that has been going on there now for a couple of years and is a much-needed and long-overdue excellent facility that they are installing there. Unfortunately, this year's award takes it up to within roughly five miles of Huntsville. While it is obvious that the remainder of it to Huntsville would be the conclusion of that major stretch, it is no for this year. But I would like to have some assurance or some indication, in any event, as to the plans of the ministry to provide continuity here, and whether it is con-

templating inclusion of the remainder of the strip in next year's programme?

**Hon. Mr. Snow:** It is a continuing programme on Highway 11, and we are doing a section every year, working our way—

**Mr. Williams:** Is the remainder up to Huntsville scheduled for next year?

**Hon. Mr. Snow:** That's next year's programme, as of this time anyway. We are also doing work on Highway 11, starting this year, between Crown Hill and Severn Bridge. We have a programme there, where the four-lane undivided section is. We have a programme there over approximately five years. The first contract is going to get going later this year to divide that—not to make it a complete divided controlled-access, but to install a median and put overpasses in. That will be done over about five years.

**Mr. Williams:** That has been a three-lane stretch of road for some time, isn't it, through Crown Hill?

**Hon. Mr. Snow:** It is four lanes but there is no median.

**Mr. Williams:** Right.

**Hon. Mr. Snow:** It is an accident-prone section. So we are starting at Crown Hill and working north on that. It will take, I guess, about five years in five different sections to get up to Severn Bridge.

Also, on the two-lane section of Highway 400 north of Barrie, we have a programme there to start four-lane. You know the two-lane section going up to Waubashene. Although we have a contract up at the end near Waubashene this year for two-lane, we will be starting, I hope, next year—in 1978 or 1977—the first contract to four-laning. That will be over a period of years, doing three or four or five miles or something a year, working our way up there. After we get to Waubashene we will start up 69 and by the year 2056 we may get to Sudbury.

[10:15]

**Mr. Williams:** I think the ministry has a good perspective of meeting these needs in an ongoing programme that is responsibly phased, I have to disagree with the simplistic alternative solution available as suggested by Ms. Sandeman. I think it's rather difficult to comprehend the hundreds of thousands of Ontarians, many of them from the Metro region, who use the roads during the summer period. I acknowledge that it is for a limited period of time but to suggest that those highways are busy on Friday nights, period, and

not otherwise is perhaps being a little extreme in putting the matter into perspective.

Certainly Highways 11 and 400, and the ones up through the Peterborough area even, are being more heavily travelled all the time. One of the attractions, not only for the local citizenry who use them for gaining reasonable access to their cottages but the tourists who come to this province from all over the country, is that there's an acceptable road system which crosses all sections of the province. That in itself draws many tourist dollars and brings many people into our region to enjoy the natural beauty of our own province.

Also, from a commercial point of view, these roads, as you pointed out quite properly, have to be available to move the commerce of the province. It can't all be moved by rail as suggested by Ms. Sandeman.

I would like to get into this in much greater depth but on the basis of what you've asked, Mr. Chairman, I'll stop at this point and reserve that long discussion for another day.

Votes 2404 to 2406, inclusive, agreed to.

On vote 2407:

Mr. Chairman: Municipal roads programme.

Mr. Grande: A point of clarification first of all. Do I understand that this time is evenly divided among the three parties?

Mr. Chairman: Right.

Mr. Williams: You've got three minutes.

Hon. Mr. Snow: Mr. Williams has used up two of your minutes already.

Mr. Grande: Hence I will have seven minutes, thank you. Let me be very brief and condense a 45-minute speech into a five-minute or seven-minute effort.

Mr. Lane: You can thank your colleagues for that.

Mr. Grande: I would like to talk about the Spadina Expressway. I would like to get into that statement which the Premier (Mr. Davis) made on May 17 and I would like some clarification of that. Given the time, perhaps I will not receive any clarification because I don't want you to take my time. This particular statement is full of holes—unless you have done the planning, not just put words on a piece of paper, before the words on the piece of paper came out. The questions I have are, for example—

Hon. Mr. Snow: Which statement are you talking about?

Mr. Grande: The statement on May 17 by the Premier, as a result of the meeting he had with—

Hon. Mr. Snow: In 1976?

Mr. Grande: That's right; it's a very recent statement. One of the first things I want to talk about is the assumption regarding the province taking title to the land south of Eglinton. I have several questions such as how will the province take title? Will it be by order in council? When? Will it be during this present session or will it be in five years from now?

Hon. Mr. Snow: It'll be taken by deed.

Mr. Grande: By deed?

Hon. Mr. Snow: Title deed.

Mr. Grande: Okay. The particular bylaws which affect the right of way as far as Metro is concerned and which give the right to Metro to pave the Spadina, will those bylaws be rescinded? How will they be rescinded? Will they be by order in council again, or by legislation? Or are they redundant, as Mr. Gilbert was telling me last night? If they are redundant, why keep them? Get rid of them.

That that will really fulfil the promise the Premier gave on the 17th, unless it is another empty promise the same as the July 8 pre-election promise. It will really say, in effect, that the expressway will not go further south than Eglinton, because while those orders in council remain you can do anything you want, but any future expressway plans south of Eglinton will not go through the OMB, and hence there will be no input from the public.

That is one area that really needs clarification and I would suggest to you very strongly that you do attempt as soon as possible to get rid of the bylaws, because as the thing stands right now, Metro not only has the \$1.2 million to pave the Spadina south to Eglinton, but also has another \$6 million that could be used to pave that right of way. Perhaps you should be thinking about taking away from Metro that particular use of \$6 million, which I understand will be through debentures of some type or other.

There are really a lot of questions in terms of the houses that exist right now on the right of way south of Eglinton. You say you are going to be taking title by deed, but I would like to find out what is going to be happening to those houses and what is going

to be happening to the parkland which is there.

**Hon. Mr. Snow:** This has all been made very clear in the previous statements made by the Premier—

**Mr. Grande:** It has not.

**Hon. Mr. Snow:**—and in my letter to Mr. Crombie back in November—not to Mr. Crombie but to Mr. Godfrey, with a copy to Mr. Crombie—on Nov. 25, I believe it was.

**Mr. Grande:** Mr. Minister, with due respect, I asked a question in the House a little while ago about these particular houses and the property south of Eglinton. Really, in essence, 50 per cent of that belongs to Metro, because they pay 50 per cent of expropriation. I asked you if you would give over those properties to the city of Toronto and to the borough respectively and you said to me that you had it in the letter to Mr. Godfrey and you would provide me with a copy, and I have not received a copy. But okay, I have a copy from elsewhere. Thank you.

**Hon. Mr. Snow:** Copies were supplied to your caucus.

**Mr. Grande:** Thank you.

**Hon. Mr. Snow:** Do you have a copying machine?

**Mr. Grande:** I do have a copy. Thank you very much.

**Mr. Chairman:** Mr. Grande, I am afraid your time has run out. I will have to call on Mr. Miller now.

**Mr. Grande:** Mr. Chairman, if I may, just one more sentence and then I am through, and that sentence is really to point out my particular disappointment because that Spadina Expressway—since everybody here has been talking about their ridings—will completely annihilate that residential area between Bathurst and Dufferin, south of Eglinton, with thousands of cars streaming through it. To this very day, nothing has been done in order to prevent the destruction of that particular area.

**Mr. G. I. Miller:** Mr. Chairman, to the minister, as far as municipal roads are concerned in the rural municipalities, I believe many of them have had needs studies done, and I see the overall budget is being cut back by \$9 million. I think this is going to create considerable hardship in the maintaining of many of the rural roads and it is going

to take actual tax dollars, not being met by provincial dollars, in order to keep up the roads. In my particular riding there are many municipalities—and I think we did have a meeting with you over the township of Norfolk in this very regard—where it is creating a hardship to maintain the roads at the level that they are now on the budget that they do have. I was wondering whether there is any possibility of supplementary assistance.

**Hon. Mr. Snow:** Very little. This year, as you are all aware, our budget has been severely constrained. We have \$985 million total budget which is \$1 million more than a year previous. Certain areas of the budget are up; municipal transit has increased; our municipal roads programme is down slightly, our provincial roads programme is down significantly. Transfer payments—that is actual grants to municipalities—are down from \$292 million to \$286 million; so it's down \$6 million or about two per cent from last year.

Since the municipalities had to plan their programmes knowing they would not be getting an increase in the grants, which they might have been expecting, we notified all the municipalities in January as to what their grants would be for this year, in order that they could plan their programmes, know what money they were going to get and set their priorities properly—rather than what had been the practice in previous years of only allocating a certain portion of their funds early in the year and then dealing with supplementaries.

I don't think any county engineer or municipal engineer can properly plan his programme and set his priorities properly unless he knows early in the year when he is setting his budget what he is going to get. So out of that \$286 million, about \$280 million of it, I believe, was allocated in January. The letter that went out to every municipality stated that supplementaries would be granted only in cases of severe emergency and basically only for projects of a non-recurring nature. So in other words, we held back about \$6 million of their money available. That has practically all been allotted, or will be in the next week or two.

Many municipalities put in supplementaries. I never did add them up, I don't think, but we had many requests for supplementaries. We went over them very carefully and practically all the supplementary money went to small and rural municipalities. In some cases their 20-year-old road grader completely gave up the ghost and they had to have a road grader. In the odd case



where there was a bridge failure and they had to proceed and get ready to build a new bridge, we've given them small supplementaries to help with that programme. But certainly, it's a rather small percentage of the requests for supplementaries that have come in.

**Mr. G. I. Miller:** Was this particular township considered a small municipality just because it has gone into a regional system which I think it is made up of five small municipalities?

**Hon. Mr. Snow:** Which township, which municipality?

**Mr. G. I. Miller:** Township of Norfolk.

**Hon. Mr. Snow:** One thing I meant to bring with me tonight was the list of requests for supplementaries and I forgot to bring it. I couldn't tell you whether they are on it or not.

**Mr. G. I. Miller:** Could I have a report on that particular area?

**Hon. Mr. Snow:** Oh yes, we can certainly find out. Not every small municipality or not every rural township by any means got a supplementary. We went over them very carefully. We tried to assist those townships that had obligations because of farm drainage work—where a farm drainage programme was going along that required the township maybe to increase some culvert sizes, replace some culverts, lower some culverts, or something. We tried to meet those requests where we could, in order not to restrict the drainage programme that was under way.

[10:30]

**Mr. G. I. Miller:** You can understand that with an increase in inflation of perhaps eight or 10 per cent and a decrease of two per cent, the actual cost of upgrading of the road is going to be really decreased by perhaps 15 per cent.

**Hon. Mr. Snow:** We're not really expressing that this year. Work is very competitive. Bidding is very competitive. I think the reports we're getting from the municipalities show this and we're getting very competitive bids on our own contracts which we're calling. In many contracts we're getting eight or 10 bids and many of them are coming in under our estimated costs.

**Mr. Williams:** Mr. Chairman, I'm astounded to hear the suggestions made by Mr.

Grande tonight, coming back to the Spadina issue. As I understood his remarks, he was suggesting that the province intervene at the local level and wrest from the local municipality which is responsible for the project—

**Mr. Grande:** No such thing.

**Mr. Williams:** —some \$6 million which it had set aside for highway purposes; not only to freeze the moneys or gain some control over them but to interfere with some local municipal bylaws which have something to do with the status of the highway and the highway corridor.

I would think that that type of attitude has to be an affront to local autonomy and the right of local municipalities—

**Mr. Grande:** Toronto and York do not want it.

**Mr. Williams:** I think that—

**Mr. Grande:** It is an affront to local autonomy—

**Mr. Williams:** You're so far out of touch with the time, it's unbelievable. I think this is how the province, unfortunately, got into difficulty in the first place by overextending itself into areas of local responsibility. I've long been an outspoken critic of that posture.

I guess having been on the Metro council at the time we had the responsibilities of the Spadina wrested from us I can appreciate that it has caused problems which may have been unforeseen at the time. I think the province has now taken a much more positive and realistic stance on this matter; it recognizes its responsibilities and it recognizes the responsibilities of local municipalities.

I think our position must remain that of providing unconditional grants to municipalities for road purposes without attaching conditions or exercising control over local bylaws or local funds to direct municipalities on how or where they will build their roads.

**Mr. Grande:** Which they don't want.

**Mr. Williams:** I think the longer we stay away from—or the sooner we get back to that normal posture, the sooner we'll return to a state of normalcy.

When we have members who, perhaps, come from some distance away, holding themselves out as experts of the public pulse in communities far from their own areas I think

it's perhaps indicative of the lack of reality they're applying to the local situation. It's unfortunate that some members of the Legislature still feel that local autonomy is suitable only if it suits their purposes. Otherwise it's something that should be—

**Mr. Ziemba:** Do you want the Spadina to go south? Further south?

**Mr. Williams:** —should be stamped upon. I'd like to see that happen. It should have gone—

**Mr. Ziemba:** South to Rochester?

**Mr. Williams:** —down to the Gardiner Expressway five years ago and I predict it will in due course.

**Mr. Ziemba:** That's why you want them to have the money ready.

Votes 2407 to 2409, inclusive, agreed to.

**Mr. Chairman:** This completes the estimates of the Ministry of Transportation and Communications.

**Hon. Mr. Snow:** Thank you, Mr. Chairman, and members of the committee.

The committee adjourned at 10:35 p.m.

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 Lane, J. (Algoma-Manitoulin PC)  
 Mancini, R. (Essex South L)  
 McNeil, R. K.; Chairman (Elgin PC)  
 Miller, G. I. (Haldimand-Norfolk L)  
 Newman, B. (Windsor-Walkerville L)  
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 Spence, J. P. (Kent-Elgin L)  
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### Ministry of Transportation and Communications officials taking part:

Bidell, W., Assistant Deputy Minister, Administration  
 Gilbert, H. F., Deputy Minister  
 Harvey, P. J., Director, Priority Development Branch  
 Humphries, R. H., Assistant Deputy Minister, Drivers and Vehicles  
 Sands, K. A., Director, Vehicle Branch  
 Summerley, R., Head, Economic Policy Office





Ontario

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Publications

# Legislature of Ontario Debates

**SUPPLY COMMITTEE—2**

**ESTIMATES, MINISTRY OF  
THE SOLICITOR GENERAL**

**OFFICIAL REPORT — DAILY EDITION**

**Third Session of the 30th Parliament**

**Thursday, June 10, 1976**

**Evening Session**

**Speaker: Honourable Russell Daniel Rowe**

**Clerk: Roderick Lewis, QC**

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## LEGISLATURE OF ONTARIO

### SUPPLY COMMITTEE

THURSDAY, JUNE 10, 1976

The committee resumed at 8 p.m. in committee room No. 2.

#### ESTIMATES, MINISTRY OF THE SOLICITOR GENERAL (continued)

On vote 1502:

**Mr. Chairman:** We had better take it point by point. First, programme management.

**Mr. Breagh:** Could I raise, under this first item, a grant that you have listed for "emergency planning" and ask the minister to clarify what that means?

**Hon. Mr. MacBeth:** Yes, that is a contingency fund that we had two charges against already this year—not very great, thank goodness—to replace emergency measures claims. Now what will be charged to this are some of the expenses in connection with Attawapiskat. We hope we won't have too many other charges on it, but it is a contingency fund; if it is greater than that, we'll have to supply it, but we hope it will be less.

**Mr. Breagh:** How does one go about getting a portion of those funds? How does one make application for them?

**Hon. Mr. MacBeth:** We've had some applications in connection with claims following the ice storm in southwestern Ontario, which we've turned down on the basis that they were not personal losses. What we have been looking at under here is where a person's house is damaged in some way and they lose their furniture or their food or their shelter.

Most of the damage that was suffered in the ice storms in southwestern Ontario this spring were suffered by businesses, although some of them were pretty dire circumstances. I think of one in particular where a pheasant farmer was pretty well wiped out, but there was no personal suffering in the sense of losing a home or possessions in the home, whereas up in the James Bay area, in the floods up there, there was personal hardship.

Some of the people who were in touch with us in connection with the ice storms were the public utilities, for instance, and farmers who lost some fruit trees, that type of thing. Our position on it was we couldn't recognize that type of business claim in the southwestern Ontario situation, but we could look after the native claims up in the James Bay area because they were matters of personal distress.

**Mr. Breagh:** I find this kind of odd, frankly, because what you are saying is that, in effect, it is really not an emergency planning operation, it's really a contingency fund or a quasi-insurance fund where something goes wrong. I see some problems with it. I can think of a number of instances, particularly along the shores of Lake Ontario, where, because of high water in the spring or extra heavy rains or whatever, there are considerable amounts of damage done along the lake, along the creeks and rivers adjacent to the lake. Would that kind of thing qualify for assistance under this?

**Hon. Mr. MacBeth:** No, I don't think it would, unless somebody lost their home or possessions.

**Mr. Breagh:** How do you kind of rationalize, as the minister responsible for this, calling it emergency planning? Is there any planning involved?

**Hon. Mr. MacBeth:** Well, as far as planning for emergencies, yes, I guess that's what my whole ministry is about. Police forces are certainly—getting back to the subjects we were discussing last evening—attempting to deal with emergencies every day. Fire departments are attempting, through their fire prevention, to prevent emergencies of a fire nature but when they arise they are there to try to deal with them.

The whole object of the ministry is to try to keep emergencies from happening. So you see \$300,000 under "emergency planning" and I quite agree that is probably not the best heading for it. This is what happens



when we can't stop an emergency of some sort or a disaster from happening.

**Mr. Breaugh:** Under this particular item do you pay for extra police costs or extra service work which has to be done? Or do you offer compensation directly to somebody who has suffered the consequences of some disaster?

**Hon. Mr. MacBeth:** Let me correct a statement I have made. In fairness to Ottawa, I think they are picking up some of the personal expenses in the James Bay area. As far as we are concerned there are some expenses in connection with the police services arising out of that emergency and other things. Frank, can you enlarge upon that a little bit?

**Mr. Wilson:** Mr. Chairman, one claim we've had was for helicopter services for evacuation in the Moosonee area which was not a proper charge upon the inhabitants and was not in the budget for Natural Resources.

This \$300,000 is in conjunction with the lead ministry concept and the planning is really done by the lead ministry. Natural Resources is now primarily responsible, for instance, for the evacuation and the OPP in Moosonee. The situation with the forest fires is now the responsibility of Natural Resources. It has always had responsibility with regard to fire fighting and it has responsibility for the evacuation and the billeting of people. It may be that there would be a charge eventually on this fund for that purpose.

**Mr. Breaugh:** In effect, you really don't do planning, in that sense? That's already done and is an ongoing thing. What happens is that when an emergency arises and somebody incurs costs over a position they do a charge-back and you pick up the cost?

**Mr. Wilson:** After consideration; not in every case.

**Mr. Breaugh:** Not directly, but you decide if you can in circumstances such as this.

**Mr. Wilson:** There is a cabinet committee for this. There are the ministers who have responsibility in the lead ministry concept and then there is a ministry committee also. That is where it is considered.

**Mr. Breaugh:** Okay. I wonder if under this item I could raise the other three charges put here? I always find these to be strange arrangements, to say the least.

There are three amounts listed here for St. John Ambulance, the Society for the Prevention of Cruelty to Animals and the Red Cross Society. Could somebody rationalize for me how you arrived at those amounts and what they are used for? Having come off municipal councils I find that a number of these groups, in the local situation, are rather badly funded. They don't have much money.

They are very often in a position of asking either the municipal council or, in some way, the community for additional funds to do the smallest of things. In my area, St. John Ambulance was looking for a place to store equipment and there really wasn't much funding available. They do receive an amount from the municipality.

How did you arrive at these figures? Are these kind of traditional grants which you give to these organizations? What do you do to see how the money is spent or whether they need more funds or whether they choose wisely or well? Is it kind of an arbitrary amount which is picked out of the air and handed to them?

**Hon. Mr. MacBeth:** I would say it is an arbitrary amount. The societies certainly ask for more than we give them. They are worthwhile causes—the St. John Ambulance, the Ontario Society for the Prevention of Cruelty to Animals and the Red Cross. It is given by way of donation and I suppose you can't say anything other than it is an arbitrary figure.

For 1974-1975, you will see that St. John Ambulance and the Society for the Prevention of Cruelty to Animals each received \$50,000. Then last year it was moved to \$75,000 which can't be anything other than an arbitrary decision. This year, in view of the constraint policy, it was left at \$75,000 for both of those.

There is a new item in for the Red Cross to which we have not been giving a grant. When we disbanded EMO the Red Cross said it was ready to co-operate with us. It wanted to get back into the supply of necessities for people in emergency situations. They came to us and said, "Here we want to co-operate with you." They did suggest—I've forgotten what they were asking for; it seems to me it was \$30,000 and arbitrarily we've decided on \$10,000. So we have not given to any of these organizations the amount that they requested or would like, but certainly they are grants under which they are operating. I guess I can't say more than that.

**Mr. Breaugh:** What kind of money would you be talking about if, for example, these operations were taken over by the govern-

ment, even by another ministry of the government, and charged back to you? I would suspect astronomical amounts.

**Hon. Mr. MacBeth:** Frank, have you any estimate on that? I suppose they could be the full budget of whatever these organizations presently operate at.

**Mr. Wilson:** I would think so. We do not have a dollar-and-cents figure on it.

**Mr. Breagh:** But it would be expensive, wouldn't it?

**Mr. Wilson:** Certainly it would be a service that would have to be paid for.

**Mr. Breagh:** I really don't have any qualms about giving them funds of this nature, but I do appreciate that a great many of these organizations have difficulty, mostly because at this end of the process they are given an arbitrary amount of money, usually based on tradition as opposed to what they actually need or want. They are then anticipating some kind of function that is what they would normally do. They run into operating costs that sometimes get out of line.

They can't budget for them, and yet they really don't have a place to turn. It's difficult when they are turning to the municipal council to get grants out of that. They operate essentially as volunteer organizations with a lot of volunteer help. They sometimes have equipment they got in some form or other at some time in the past and have some difficulty with maintenance and storage and the usage of that equipment. There doesn't seem to be much of a place for them to go, really.

I was kind of linking up these three organizations—and I have to ask the question, why these three and not a number of others that are around?—with the bottom item here, and it really strikes me that they would be people who quite rightfully should be able to make a claim against that emergency planning. We are leaning heavily on those people. I have some, not real doubts about their ability, but some difficulty in saying to the public at large, we assume that those organizations are there and, should something unfortunate happen, we could call on them, and that in some way they are funded by the province and by the municipality or by the community at large, but I really wonder, could they?

Could they produce the kind of effort that we really need and want? If we chose to do it another way, say through the various ministries of the government, I am quite sure the costs would be 10 times greater than what is listed here. I am wondering, do you really look at that on an ongoing basis, or do you

just kind of see them once a year when they ask for \$30,000 and you give them \$10,000?

**Hon. Mr. MacBeth:** We've certainly had more than one communication with the Red Cross. I think I have had at least three discussions with them in connection with what they were prepared to do for us, and thank goodness all those three meetings have not been spent on just monetary talks but how they could co-ordinate and work with us. I am a great believer myself in the value of volunteers and their contribution to society generally, and I agree with you wholeheartedly that if we wanted to have the back-up that the Red Cross is presently supplying us we would certainly pay more than \$10,000 for it; maybe \$1 million, I don't know.

We have, readily available through the Red Cross, volunteers in every sizable community across the province who are ready to supply blankets, food, clothing, coffee, that type of thing, if an emergency arises. If we tried to duplicate that and have that kind of standby ability it could cost us millions of dollars. I think there is a place in society for the volunteer.

**Mr. Breagh:** We pursued this question in the House when we were discussing emergency measures and what not, and I don't think anybody really got much of an idea of what you mean by the "lead ministry" concept. Could someone take at least one of these organizations as an example and explain to me how you work that in under your lead ministry? What kind of communications do you have with them? If an emergency arises, how do you get them to work? And under whose direction do they work? Pick one.

[8:15]

**Mr. Wilson:** Perhaps the most relevant one now would be forest fires under Natural Resources. They have a section under a Mr. Sleeman which is primarily responsible for their emergencies. He is on the ministry committee and has a direct liaison or daily communication, as it were, with other ministries which he'll have to call upon.

I know for a fact he's in touch with Chief Superintendent Fullerton of the OPP and he is in touch with Health on problems the community might have with health. He's in touch with transportation—not necessarily the provincial Ministry of Transportation and Communications. He's in touch with the railways in the event they might need railway cars for evacuation. He's also in touch with the municipal authorities and neighbouring

municipalities where these people will be billeted when they have to evacuate an area.

**Mr. Breagh:** In effect, what he's doing is a job which was previously done by the emergency measures co-ordinator.

**Mr. Wilson:** That's right. The concept is under the lead ministry concept since it's basically a state of emergency caused by forest fire. They are there on the site, anyway, and have the knowledge, the expertise, of how severe the fire is and when people have to be moved. They tell the other ministries and the other municipal people what they want by way of service, when that service will be given to them and what they require in resources.

**Mr. Breagh:** Okay. Now, to tie that particular point into two of these grants contained in this item, say, St. John Ambulance and the Canadian Red Cross, would he, for example, be aware of what kind of equipment they had in that area and how many trained people they had? Would he have an idea of where they are during the daytime? With the kind of powers given him under that disaster would he be able to call those people off their jobs and put them to work on this kind of thing?

**Mr. Wilson:** I haven't specifically asked Mr. Sleeman that but I have some confidence in answering you that he would.

**Mr. Breagh:** Okay that's fine, that's all.

**Mr. Kennedy:** I wanted to ask you about the grant to the Humane Society and what this means. It involves, if I recall, \$20,000—

**Mr. Roy:** Before we proceed, are we going down here item by item?

**Mr. Chairman:** Item by item. Emergency planning, you'll notice, is under 1; at the bottom of the other page.

**Mr. Roy:** I thought we were talking about the emergency measures.

**Mr. Kennedy:** Emergency planning is the last item under programme management, right?

**Mr. Chairman:** Right.

**Mr. Kennedy:** I was wondering as to the Act providing for the Humane Society—it is in place—which is the Act on the prevention of cruelty to animals and whether the government has any role in overseeing this or whether they are totally autonomous under

their operating legislation. Does the provincial government give the grant and that's the end of it? Do we have any control?

I'll tell you why, to expand, if I could. I had an inquiry as to whether the humane societies can do veterinary services such as surgery to animals or medical treatment, laboratory tests and this type of thing. Is there any reason they can't do this, if they are not totally autonomous?

**Mr. Wilson:** The Ontario Humane Society acts under a provincial statute which was originally enacted in 1918 and was re-enacted in 1955. They are given a responsibility under that Act to look after the care of animals. Under section 10 of that Act there is a provision that anyone who is providing a similar service has to be either an affiliate of theirs or operate under them. The reason that was done was to ensure that any funds solicited for that purpose were properly spent for that purpose rather than as in some states in the United States now where there are criminal charges for people who, by fraud and false pretences, have taken large sums on public subscription for this purpose and it never went to that purpose.

They now have this authority by the statute and I see no reason why they could not perform in the way you say. I think the society is aware, from conversations I have had with it. They have a reservation not to trespass upon the private sector of veterinarianism but they can hold animal clinics and treat them, give shots for rabies and things like that, and they do that.

**Mr. Kennedy:** So any limitation is sort of a tongue-in-cheek or tacit arrangement between them and the private sector?

**Mr. Wilson:** I think it is self-imposed.

**Mr. Kennedy:** I see.

**Hon. Mr. MacBeth:** But there is nothing, as I understand it, to stop them from holding clinics to spay and neuter animals. I think they are perhaps doing that in Mississauga and I don't think that's against any of our regulations or laws.

**Mr. Kennedy:** But, in fact, if they started out doing that and expanded into other areas of surgery, they are still within their rights insofar as the law is concerned—

**Mr. Wilson:** I would think so.

**Mr. Kennedy:** —and as far as we are concerned, the legislation would permit this and



it's something they would work out themselves.

**Mr. Wilson:** Yes, under the title "Care of Animals," and they do have veterinarians on their staff. I think maybe the greatest self-regulation is expense, because they can't afford to do this unless they get a donation or public subscription.

**Mr. Kennedy:** I know a lot of sophisticated operating room equipment is needed to conduct this type of care.

**Mr. Wilson:** That's true. They have mobile clinics but even they, as you know, are expensive to operate.

**Mr. Kennedy:** Yes, I know. By and large, though, the Humane Society is not in it a great deal insofar as you understand?

**Mr. Wilson:** No, no.

**Mr. B. Newman:** On the same topic, I had the concern of several vets expressed to me on the fact that the Humane Society was actually going to get into the business in my community very shortly. If they are going to assist many people who happen to be financially disadvantaged, I would think they are doing a valuable service in that instance, but if they are going into the commercial field I just wonder how the vets generally would appreciate that. They are a bit concerned.

**Hon. Mr. MacBeth:** I think they run pretty well within the government charter. It's a pretty free rein. My understanding is that we have very little control over their operation. I don't think there has been any need to date to try to say what the Humane Society should or should not do. I know there are some problems across the province generally within the control of the society, on the basis of complaints from Northern Ontario that the money comes down to central Ontario and maybe northern Ontario is not getting its fair share back, but that's purely an internal matter. Whether we have to get into it and start taking some hand, I don't know. I would hope not.

As I understand it, the one power the Humane Society had given to it by this Legislature some years ago was that it has the right as a corporation—and the only one in the province—to solicit funds to alleviate the distress of animals. I know there's the organization, SAD, as they call it, Society for Animals in Distress, and I gather it is not operating as a corporation in any way and I suppose, I am not sure, this

is partly because nobody has challenged it to date. Can you enlarge upon that, Frank?

**Mr. Wilson:** I think organizations such as SAD do come into existence from time to time, and depending upon the amount of voluntary effort they get and public funds, they continue in existence for a time and sometimes become affiliated with the Humane Society. Sometimes they cease to exist.

**Mr. B. Newman:** Animal population is going to be a real problem in the not-too-distant future. All one has to do is visit New York City and you tiptoe through the tulips on the streets.

**Mr. Chairman:** I have a question to ask. This appears to be the first year the Canadian Red Cross has been given a grant of \$10,000. Is that so? What is it for?

**Hon. Mr. MacBeth:** Yes. Mr. Chairman, it was when we passed the disbanding legislation for the Emergency Measures Organization that the Red Cross came to us with a scheme for supplying individuals in disaster situations, where they would come in with food and blankets and things of this nature as they used to do and as they were quite anxious to return to.

When they made the proposition to us they made it, first of all, because that was part of the Red Cross's traditional service across this province. Incidental to it—and I certainly don't think it was a primary concern at all—they suggested wouldn't it be nice if we gave them a grant of some \$30,000. The result of that was a grant of \$10,000, but their coming into the field was not conditional upon any grant at all. They were just glad to return to a field that they had been in for a number of years.

**Mr. Gregory:** Mr. Chairman, I just have a comment in regard to the subject Mr. Kennedy and Mr. Newman touched on, and that is the animals. I think it has become more of almost a social problem now. There is a bit of confusion at the local level as to what is really the nature of Humane Societies, whether they should be concerning themselves with the welfare of animals or the welfare of people; in other words, the control.

This has become a major problem in urban centres, as Mr. Newman mentioned, to the point where I believe local politicians are sort of torn between the desire to concentrate their efforts on the welfare of the animal and to keep the control of animals to a minimum, or at least within acceptable limits.

There was an organization that was set up and was making presentations all over Ontario called Paws. It had to do with free or reduced costs for spaying and neutering and it made presentations to most urban centres. They were opposed very actively by the veterinarians. It seems to me the veterinarians had somewhat of a conflict—let's say a vested interest in not having too many neutering clinics and spaying clinics.

I think the province eventually is going to have to get into the business of heavier subsidies for Humane Societies or for organizations such as Paws, or else, as Mr. Newman says, we are going to be tiptoeing through the tulips too, because the animal control situation in most municipalities is poor because they don't have the funds to support them adequately. Nobody ever says dog catcher any more; trucks drive around now and it says animal welfare truck. I know we've become accustomed to the word welfare in our society, but there comes a time when the welfare of human beings has to be made a priority item.

Perhaps, Mr. Minister, we are straying from your particular responsibility, but it is possible that consideration can be given to increased subsidies to Humane Societies which are willing to do the job and to offer spaying and neutering facilities to lower income families or people who just can't afford to do this? Is it also possible that the province can take a hand in making sure that animals that are obtained from Humane Societies are automatically spayed or neutered before they are let out for adoption?

[8:30]

**Hon. Mr. MacBeth:** Certainly it is possible. I would hope we wouldn't have to get into legislation along the line you are suggesting, where the provincial government would have to pass any laws saying what animals should or could or would be spayed or treated in some way or another. It certainly is possible. I think it's best left to the Humane Society.

As far as increased grants are concerned, likewise that's possible but, again, when you're trying to weigh all the needs of people and animals and all the priorities we have, the Treasurer (Mr. McKeough) and the Management Board would not be too anxious to see us ask for more money for this. Rest assured, the Humane Society will be asking for more money and, in due course—I'm sure in next year's budget—that will be presented to it.

**Mr. Gregory:** I recognize, particularly when we're talking about restraints, it's

pretty presumptuous to assume that we're going to spend money on controlling dogs as a happy priority. I think, by not getting into this on a provincial level, we're placing municipalities in the somewhat silly position of having to pass stoop and scoop bylaws with heavy fines. I think this could be prevented if a more preventive course were taken through the control of the birth of animals—the indiscriminate birth of animals—belonging to people who don't care. They give the pups away and away we go.

**Hon. Mr. MacBeth:** Surely, all of those people who are stooping and scooping have a right to say whether their animals are going to be spayed or not?

**Mr. Gregory:** I think they do but unfortunately it's the people who should be stooping and scooping who are not suffering for the actions of the animals. I guess it sounds like it's over-protectionist, or you're getting into a domain where you are over-controlling people but it's going to get to a point when it becomes a health problem as well. I think that's my point—when it gets to the point you can't walk through a park without endangering your feet, to put it delicately, I guess.

**Hon. Mr. MacBeth:** That's exactly what I think the Mississauga Humane Society is trying to do. If it becomes that kind of a problem across the whole province I daresay the Humane Societies will be doing it. As I say, they've asked for funds. I don't know what their request was. Frank, do you know what their request for funds was this year?

**Mr. Wilson:** The Humane Society?

**Hon. Mr. MacBeth:** It was certainly for more than \$75,000, anyway.

**Mr. Wilson:** Yes.

**Hon. Mr. MacBeth:** They will take anything we'll give them and I'm sure that anything we give the Humane Society will be used for good purposes.

**Mr. Gregory:** To buy scoops.

**Hon. Mr. MacBeth:** I might say, when you look at St. John Ambulance, that there's money for them in the Workmen's Compensation Board budget because they do a lot of training for the Workmen's Compensation Board. They are in receipt of other funds from the government. I'm not so sure that the humane societies are. I think this is the only grant they get from the provincial government.

**Mr. Gregory:** Thank you.

**Mr. Chairman:** Does item 1 carry? Item 2, Centre of Forensic Sciences.

**Mr. Breagh:** I'd like to raise a couple of issues under this. Let me start with the old blunt-nosed bullet routine because some of the testing in the report prepared and presented to the minister was done at the Centre of Forensic Sciences.

Frankly, there are two points I want to make on this. One is I cannot seem to get much of a grasp on whether police forces at large across the provinces have changed over to take this kind of ammunition as standard equipment. There doesn't seem to be much of an indication, at least in my area, that they are.

I guess the question I really wanted to ask—I hope you have someone who is an expert in that field to present to the committee some indication of the testing done and what the final results were. I found a complex report which was written, I think, specifically for someone who had expertise in that field. I did have a number of other people from the University of Toronto and other various sources who offered opposing testimony as to what would happen if those bullets were used on a large scale. Do you have someone here who could answer a couple of questions like that?

**Hon. Mr. MacBeth:** Is this the test on the .38 special?

**Mr. Breagh:** It was done on a .38 special. It was part of the report which authorized the use of blunt-nosed bullets.

**Hon. Mr. MacBeth:** It was the one in which we talked about the gelatin tests and all the other tests involved?

**Mr. Breagh:** Particularly the gelatin test which fascinated me in a kind of ghoulish way.

**Mr. Lucas:** The gelatin test which was done on what has become a fairly standard simulated material for human tissue which is, I think, 20 per cent gelatin blocks of a certain weight and so on. This was done to determine the potential effects the different shaped bullets and different velocity bullets would have on human tissue. This was one phase of the testing.

One of the more important phases was the ability to penetrate the windshield of the modern automobile and the liability to ricochet. What happens when a bullet does strike a hard surface? Does it ricochet or does it break up into small pieces? Another very im-

portant part of that test was what is the shootability of a bullet? It does no good at all to have a very effective bullet which nobody can hit anything with. The ability to hit a target with accuracy is important. Those were the various aspects that were—

**Mr. Breagh:** Okay. There seemed to be some agreement among the people I talked to anyway that the tests as far as they went, they didn't disagree with. Particularly the gelatin test; there seemed to be general agreement on that.

What didn't seem to be tested or what was not reported—at least to my satisfaction and this is where the argument really centred—was what happened at the exit point? The report I read addressed itself to stopping power, penetration power, deflection and things like that. It did enter into the gelatin test area where, really, there was the point about the stopping power. It did not address itself to the problem of what happens when the bullet exits.

A number of people who, at least in my view, were sufficiently well schooled in that kind of science, made the case to me that that was really a significant effect in using that kind of ammunition. It was not even really addressed in the report.

**Mr. Lucas:** One of the purposes of this type of bullet is that it does not exit; that is one of the features you are trying to obtain. You can't always obtain that, depending on what it strikes and so on, but any bullet, when it exists, will leave a larger hole than where it enters. This particular bullet is designed to transfer more of its energy to the body itself, which means it is more likely to remain within the body than it is to exit.

**Mr. Breagh:** From the people I talked to, two or three of them, there seemed to be some rather large points on which they did not disagree but they said that might be okay if it hit a large mass, a large person in other words. If it hit somebody who did not have the ability to absorb all that energy and it did exit, it would take with it all kinds of nerve endings. One doctor said to me it would be an almost impossible job to patch up somebody who had been hit with one of those bullets if it did exit. A surgeon would not know where to start.

**Mr. Lucas:** This could happen, of course, with any kind of bullet. I think the point you are making may be that this bullet, should it strike a body which does not have the capacity to stop it and should it continue



through the body, will do more damage than the round-nosed bullet. I think that point is probably correct.

**Mr. Breagh:** Could I ask the minister how widespread that ammunition is? How widespread is its use by municipal forces and the OPP?

**Hon. Mr. MacBeth:** My understanding is that it has been recommended to be used generally throughout the police forces of the province. Frank, do you know how much of that has been implemented to date? Is there anyone who might know? Judge Graham reports that most forces are using it at the present time.

**Mr. Breagh:** Okay. Could I ask one final question on this particular issue? It was reported to me that a number of police officers were packing their own ammunition. Of course, anybody who is interested in weapons or ammunition does that on a regular basis. At the forensic centre do you test ammunition which is not standard stock issue? In that report you seemed to have done a reasonably wide testing of the kinds of ammunition available.

**Hon. Mr. MacBeth:** Do you know that, Mr. Lucas?

**Mr. Lucas:** I'm not sure if I understand your question. Do we test ammunition that is not—

**Mr. Breagh:** Standard issue?

**Mr. Lucas:** —standard issue to police forces? Yes. The reason for that is we deal with a lot of other bullets; the majority of bullets we deal with are other than what the police use.

**Mr. Breagh:** One final question. There was a report in this last week or so of a type of weapon—the name escapes me now—which essentially, it was described to me, is a shotgun with a pistol handle. It is available from somebody in Massachusetts and apparently it is sold to police forces in Ontario. Did the centres do any testing on the kind of damage that would do to individuals?

**Mr. Lucas:** No, we have not had one of those guns.

**Mr. Breagh:** Do you know if anybody in Ontario or any police force in Ontario has purchased that weapon? You don't know what I'm talking about?

**Hon. Mr. MacBeth:** No, I don't know what you're talking about. I don't know whether Judge Graham does.

**Judge T. J. Graham:** We're not aware of any force but, according to the article, I'm sure some may have it for special purposes.

**Mr. Kennedy:** I wonder if gun control comes under this vote?

**Mr. Breagh:** The testing of weapons or ammunition would be the best place.

**Mr. Chairman:** I think not, Mr. Kennedy. I think the testing of weapons and things like that is here but gun control and the wider aspects, I suspect, would come under—how about 1505, criminal and general law enforcement?

**Mr. Kennedy:** That sounds logical; a good selection.

**Ms. Sandeman:** I'd like to draw the minister's attention for a moment to the programme description which covers not only vote 1502, item 2 but all the votes under the public safety programme. I'm wondering if it's a bit of a misnomer to say that this programme is concerned with eliminating or minimizing hazards to human life and property when most of the activities under this programme seem to be dealing with the hazards once they are happening or have happened.

We've already talked about the danger of disease borne by the excreta of animals. Under this vote we're talking about testing evidence of various kinds brought into court. The criminal act has already happened or is alleged to have happened. Under the forensic science vote we're talking about the breathalyser test; the driver is already impaired. On fire safety, I agree with you; many of the activities of the fire department are aimed at eliminating the hazards. I think the preventive work the fire department does is, without question, good.

With coroners' investigations and inquests, the hazard in that case has already happened. It's too late to save that human life once the body is on the coroner's slab. Forensic pathology is the same kind of thing. You can't tell me that if the coroner has the liver in his hand he's minimizing the danger to that person.

What I'd like to ask you is are you carrying on with the next step, having considered—perhaps to go back for a second. Certainly, when you're talking about using these frightening bullets which do more damage, I gather, if they should strike a wrist or some other fragile part of the body than the bullets the police used previously, I can't quite

see how you can justify that as eliminating or minimizing hazards.

I wonder if the minister could tell us generally under this vote—specifically, if you like, **under forensic sciences—how you're** using the large amount of information which obviously you're gathering under all these investigations to eliminate or minimize the hazards? Is the ministry actively involved in preventing drunk drivers from getting on the roads and thus reducing the need for breathalyser tests? When you look at all these coroners' investigations, how much flows out of those investigations to prevent that kind of accident or that kind of crime happening again?

[8:45]

What I'm saying is, really, could you justify the programme description? If you can't, maybe you could change it around a little and say we are telling you the dreadful things that happened, how we discover who they happen to, how they happened and how we bring people to justice once they have happened. I am a little disturbed by a programme description which is really concerned with preventive measures when the activities, generally, are after the fact rather than before.

**Hon. Mr. MacBeth:** It's a good and reasonable question and I would answer it by saying it is an attempt to learn from experience. The coroners' motto, I think I have it right, is "We speak for the dead to protect the living." I think I am pretty close on that. I think that's the exercise in many of these things that we are going through.

In connection with the coroners' investigations, certainly something has happened which we wish hadn't happened but by examining why and how it happened, we hope to prevent it from happening again. I spoke earlier about some of the programmes we dealt with through publicity purposes, trying to protect against crimes of various natures and certainly against fires and things of that nature.

Mainly, however, the work of the police is against people who are lawbreakers, that's the way we think of them; apprehending criminals of one sort or another or protecting us from the person who wants to speed or disobey the traffic laws. Most police departments, certainly the larger ones, have preventive departments whose members go out to the young people and various organizations trying to prevent crime and tell how you can guard against it.

Certainly, the majority of the work of the police force is trying, I suppose, to prevent crime by dealing with those who have already committed crime of one sort or another. When you talk about coroners—mind you, not all coroners' inquests arise out of criminal investigations. I am sure you are going to get into the matter of mercury poisoning and things of that nature.

I think the programme is aptly named and I would hope that we are learning from the mistakes it makes. I find no fault with the label we have on this programme.

**Ms. Sandeman:** Is it quite fair to put it under this programme? You are talking about the preventive measures which the police carry out which is a different vote entirely. How much follow-up is there, for instance, from coroners' investigations into drug overdose deaths with preventive drug programmes? They are certainly not under this vote.

**Hon. Mr. MacBeth:** You can ask some questions on that under vote 1504 which we are coming to shortly. Under the forensic sciences—Mr. Lucas, you might tell us how your programme helps prevent future crime.

**Mr. Lucas:** I think probably in the broadest sense, one of the purposes of the administration of justice is the deterrent effect that the proper administration of justice will have on the prevention of future crime. One of our functions is to assist in the proper administration of justice. You mentioned the breathalyser programme; I suppose one could say that prevents traffic crashes because, hopefully, the very fact that there is a law which is properly investigated and properly enforced will deter someone from driving a car in an impaired condition. It's very difficult to put an exact figure on what effect that has, or to measure it.

**Mr. Roy:** Talking about the Centre of Forensic Sciences, maybe I could start, Mr. Chairman, by asking the minister about this mutual disclosure. I notice this dates back to 1973-1974, and I can recall talking with the then Solicitor General, the Hon. John Yaremko, who is better off than you are, Mr. Minister, at present on his pension.

**Hon. Mr. MacBeth:** Oh, it's not hard to look around this world and find people who are better off than I am.

**Mr. Roy:** That's right.

**Mr. Chairman:** You are smoking better cigars, though.

**Hon. Mr. MacBeth:** Just because I am smoking the right cigar tonight doesn't mean that I live on this scale all the time.

**Mr. Roy:** The difference between you and him is that he can afford it.

**Hon. Mr. MacBeth:** That's right.

**Mr. Roy:** I would like to know how this is working out, because I think this was a good idea. I thought that the QCs and the defence counsel should have access to the centre to use it in a necessary situation. That's the first thing, I just wanted to clarify that there are some defence counsel making use of it. Secondly, you state in your report that I have here that by and large when you forward reports to the Crown, you enclose a copy for the defence counsel. I would just like to know, first of all, do defence counsel use it?

**Hon. Mr. MacBeth:** As far as I know they do, and I also understand that in criminal cases if defence counsel have some examinations that they wish conducted the forensic sciences centre will conduct them for them. But Mr. Lucas is far better equipped to answer it than I am.

**Mr. Lucas:** The answer to your question is yes they do use it, but not to a large extent. I would estimate probably only 30 to 40 times a year, but it certainly is being used.

**Mr. Roy:** I just wonder, is there any charge at all for the use by defence counsel?

**Mr. Lucas:** No.

**Mr. Roy:** As far as the use by counsel is concerned, do you make any selection or discrimination at all on the basis of what type of case it is? For instance, if one wanted to get something analysed on an impaired case or something, would you provide assistance there? It doesn't have to be a murder case or anything?

**Mr. Lucas:** No, it doesn't. I would say probably the most frequent use that defence counsel make of us is to determine if a particular substance that their client happened to be using in his mouth would affect the result of a breathalyser test in an impaired driving case. That is probably the commonest use.

**Mr. Roy:** So that's the most use, in that type of case. Now if I can continue, while we are talking about breathalysers can you help me? I noticed that in talking about your breathalyser programme you talk about the different areas where you supply breathalyser

machines or something, and then you give courses and this type of thing. Do you know if you are using mobile breathalysers in this province yet?

**Mr. Lucas:** No.

**Mr. Roy:** Why not?

**Mr. Lucas:** If by mobile breathalysers you mean the roadside screening device—

**Mr. Roy:** Yes.

**Mr. Lucas:** —the reason we are not using it yet is because that particular clause in the amended Criminal Code has not yet been proclaimed.

**Mr. Roy:** Hasn't it? I thought it was proclaimed on April 26.

**Mr. Lucas:** No. That particular clause was left, I believe, to the provinces to advise when they were ready to have it proclaimed. Parts of the amendments were proclaimed, but not all.

**Mr. Roy:** The reason I asked that is that I thought it was proclaimed and, in fact, Nova Scotia and New Brunswick are using mobile breathalysers, and considering that that law is a federal law, I can't see how they could —are you saying that it is proclaimed for certain provinces and not for others?

**Mr. Lucas:** As I understand it, but I am not a lawyer.

**Mr. Roy:** Well, okay, let me go to the next step then. Do you plan any mobile roadside breathalysers? He's being cautious; he looks to his minister.

**Hon. Mr. MacBeth:** Well, no—

**Mr. Lucas:** It's a policy decision.

**Hon. Mr. MacBeth:** It's a policy decision, but I am quite happy to have Mr. Lucas say what state we are in as far as being prepared to use them.

**Mr. Lucas:** We have purchased several of the instruments and what we are proposing to do is to have a pilot programme initially to determine the implications of using this and the effects of using it, what effects it has on the case load, the demands upon officers' time, the demands upon the courts. We propose to do this in two different areas as soon as the legislation is proclaimed in Ontario.

**Mr. Roy:** I understand that the mobile system they have in Nova Scotia is quite an elaborate outfit with a panel truck and the



whole bit. It sounds like a pretty expensive proposition. I am wondering if you had alternatives whereby you could have—the breathalyser itself is a pretty expensive instrument. What is a Borkenstein worth now?

**Mr. Lucas:** I don't know what it's worth. It costs about \$1,100.

**Mr. Roy:** Okay, it costs \$1,100.

**Mr. Lucas:** I am sorry. The device you are talking about in Nova Scotia is indeed a mobile breathalyser. We have to make a distinction between a roadside screening unit and a breathalyser.

**Mr. Roy:** Yes.

**Mr. Lucas:** The roadside screening unit is just that. It's a simple device to get a rough idea at the roadside as to whether or not one should take further steps with that individual. The breathalyser is a unit to obtain evidence that's admissible in court.

In Nova Scotia I believe they are using breathalysers in a mobile form in that they carry them in a truck. They take the accused man out of his car, put him in a truck and test him at the roadside. We have not done that in Ontario because we don't feel that a truck at the side of a road is the proper place to do that sort of analysis.

In Metropolitan Toronto they have mobile breathalysers in the sense that there are a couple of units they carry in the cars from one police station to another but the testing is actually done in the police station.

**Mr. Roy:** If I might elaborate on that, I would think that out west or in Nova Scotia you would sort of spread the fear of the Lord if you came into a small town or small community with the breathalyser truck; you'd keep people on their toes.

It would hardly apply to a large city like this where you have breathalysers spread out in different areas of the city, I suppose, or some of the major centres. In other words, Ontario is more of an urban type of a community and most communities, as I see on your list, have breathalyser machines anyway.

**Mr. Chairman:** How would it spread terror in a town—there's a truck outside saying hold your breath until you leave this town or something?

**Mr. Roy:** No. If I can relate for your edification, Mr. Chairman, as one who is from out west—Willowbunch—first of all you don't see the police very often and when you see

a mobile breathalyser—it is sort of like New Year's day all year around there until you see the police or the breathalyser unit. It is just to keep the deterrent aspect of it so the people say "Let's not drink too hard tonight. I hear that 20 miles down the road the police are coming down with their breathalyser unit." I think there is a deterrent aspect to that. It would hardly be as practicable or practical in a city, in an urban centre, but—

**Mr. Peterson:** It's amazing—the things for all six people in Willowbunch.

**Mr. Roy:** You are being pessimistic; Willowbunch still has probably 150. These roadside units I was asking about, they are not the type of things we used to see in the days when it was compulsory—do you recall the first days when it became compulsory to blow into a machine? It was back in 1968, I think—

**Hon. Mr. MacBeth:** It was 1969.

**Mr. Roy:** So, 1969; people were going around with all sorts of little outfits and you would blow in them to find out what colour the crystals went. It is something more sophisticated than that, is it?

**Mr. Lucas:** Yes, it is.

**Mr. Roy:** Is it a type of unit which works on the same system as the Borkenstein, on the basis of a chemical reaction with alcohol?

**Mr. Lucas:** No, it's quite a different system. It's an electronic detection device. It is one of the things we have been hearing about for years—a spinoff from the space programme. This is one of those. It's an entirely new concept in detection.

**Mr. Roy:** Yes. Are you satisfied with the accuracy of this machine or is it again to give you a fair reading so you can decide whether you are going to let him go or take him down for a test on the breathalyser at the station?

**Mr. Lucas:** We are satisfied with their reliability for the purpose they are designed for, which is only to aid in making a decision to go further. They are not designed to obtain evidence.

**Mr. Roy:** If I might just complete my questions on the breathalyser and the breathalyser statistics I have here on one of these pages here—these statistics, let's say for 1975. on what you call interviews, 48,000, that's not province-wide is it?

**Mr. Lucas:** Yes, it is.

**Mr. Roy:** That's from all police forces right across the province, 48,000? I would have thought it would have been—it actually went down from 1974 to 1975?

**Mr. Lucas:** This was the first year there has been a decrease since 1969.

[9:00]

**Mr. Roy:** Because there has been certainly more publicity, more talk about motor vehicle accidents and people driving their cars under the influence of alcohol, it would appear that the statistics do not seem to reflect the concern that we're hearing—which is not to say that there is not some concern that there were 39,000 people charged with either driving over 0.08, or impaired driving, in 1975, but I was surprised to see that there had been a decrease in the statistics. What do your preliminary results show for 1976? Do they seem to be back on the increase?

**Mr. Lucas:** So far 1976 shows it going back up again, but I wouldn't want to draw a conclusion from just one year's experience.

**Mr. Roy:** No. Do you have any comments or do you have any explanation at all for the decrease from 1974 to 1975? Did the energy crisis have anything to do with this?

**Mr. Lucas:** I have no comment at all as to what caused that.

**Mr. Roy:** Looking at these results as one whose involved in the courts and knowing the certainty of a conviction when you get a high reading, I notice that about 10 per cent of the people who are called in by the police in fact have readings under 0.08. Am I right? Is that what that is?

**Mr. Lucas:** Normally a person isn't charged if the reading is less than 100 or 0.1.

**Mr. Roy:** Oh I see. It's not 0.08.

**Mr. Lucas:** The offence is driving with more than 0.08, so 0.08 is not an offence though 0.09 would be, but because of the reliability of the equipment, we allow another 0.01 over and above that.

**Mr. Roy:** Looking at the statistics for the year 1975 or even 1974, when they were in fact higher, you don't have a breakdown as to ages of individuals in that do you?

**Mr. Lucas:** No I don't.

**Mr. Roy:** Are there any figures at all? One of the concerns expressed, as you know, and we've had a report on this, is that of

youths drinking and driving and the effect of the lowering of the drinking age, and I think a breakdown would be very helpful, considering the large number of statistics that we're talking about here, at least in 1971. There has never been a breakdown done as to ages?

**Mr. Lucas:** Yes, there has. I'm sorry, I meant I don't have those figures. I believe there was a study done by a committee appointed by the—

**Hon. Mr. MacBeth:** You're thinking of a recent study, aren't you?

**Mr. Lucas:** Yes, within the last couple of years and I think it was done through the Addiction Research Foundation and the Ministry of the Attorney General.

**Hon. Mr. MacBeth:** I don't know what study that is, but I guess what we're saying is that the forensic sciences people have not made such a breakdown but maybe the police or the Attorney General have.

**Mr. Roy:** That's what I was wondering about. In the light of the fact that you seem to be accumulating these statistics on impaired driving or driving with a reading over 0.08, I would have thought that people using your statistics might have given you some idea what the age breakdown was.

**Mr. Lucas:** That information is available in a study that was published by the Ministry of the Attorney General, I believe a year ago or two years ago, but I don't have it here and we weren't specifically involved in it.

**Mr. Roy:** If I might ask you one further question in relation to the Centre of Forensic Sciences, you've been in the new building now how long?

**Mr. Lucas:** Since July of last year. Almost a year.

**Mr. Roy:** Almost a year. I think you have someplace here a breakdown of the caseload. Has it increased significantly since you moved to your new quarters?

**Mr. Lucas:** Not specifically attributable to the new quarters. We have had a continuing increase in caseload all along. The new quarters permit us to more effectively deal with that caseload, but there hasn't been an increase just since we moved.

**Mr. Roy:** No, I just thought maybe the old quarters were a limiting factor in the number of cases that you could accept.

**Mr. Lucas:** They certainly were a limiting factor in what we could deal with, but we kept on accepting things and as a result there was a backlog.

**Mr. Roy:** Yes, now let me ask you this: I notice that you talk about the average processing time per case, the average cost per case and the average case per technical staff. You seem to be making a commitment for 1976-1977 that you are going to decrease the processing time by one day and you seem to be cutting the average cost from \$268 to \$250. What makes you give that sort of commitment apart from the fact that money is tight all over?

**Mr. Lucas:** Optimism; better working conditions. We believe we can deal with a greater number of cases with not much of an increase in staff or an increase in cost. That is a prediction which I hope will come true.

**Mr. Roy:** That's a prediction? I take it that next year you will tell us whether you were able to follow your prediction?

**Mr. Lucas:** Yes.

**Mr. Roy:** Can one use your services if he is not involved, for instance, in either a criminal case or a case involving a coroner's inquest or something of that nature? Do you do any testing other than what is referred to you either by some agency or defence counsel or someone involved in an actual case?

**Mr. Lucas:** Yes. We are available to counsel in certain civil cases when counsel is able to assure us he can't find anybody else to do the particular type of examination. There are certain types of things for which we have a monopoly for the service and if counsel comes to us and says he can't find anyone else to do it and we don't know of anybody else to do it, we will do it for him. We do that on a fee for service basis.

**Mr. Roy:** On a fee for service?

**Mr. Lucas:** The fees go to the province.

**Mr. Roy:** So that I know, how does that fee for service work? Is it an hourly rate that you charge?

**Mr. Lucas:** Yes. We have an hourly rate approved by the Management Board. It is \$30 an hour.

**Mr. Roy:** I see. Apart from civil cases, do you do any testing for industry or things of this nature? If a company wanted to know something about a substance, whether it was toxic or something? I notice you do a variety

of tests involving biology, chemistry and so on. Do you do any cases like that on a fee for service basis, for individuals not involved in a court case at all?

**Mr. Lucas:** No.

**Mr. Roy:** If one came over and said, "Could you test how safe this product is?" or, let's say, "I would like you to test the chemical content of this water," you don't do that sort of thing?

**Mr. Lucas:** No.

**Mr. Roy:** Do you do it for government?

**Mr. Lucas:** Yes, we do cases for other arms of government.

**Mr. Roy:** For instance, let's say the Ministry of the Environment wants something tested—mercury in the water or something like that?

**Mr. Lucas:** We would not do that. We wouldn't be asked to because they have their own laboratories which are very well equipped and very well staffed.

**Mr. Roy:** I just gave that as an example but I think you know what I am talking about. The point I am trying to make is that, as I understand it, the National Research Council in Ottawa does testing of a variety of things. They test to see if bicycle tires are okay; they test some other substances. You don't?

**Mr. Lucas:** Not normally. There are other laboratories within the provincial government or with the Ontario Research Foundation which would do that. Having said that, I can think of an exception. For example, we have done cases for Consumer and Commercial Relations with respect to tires as you have mentioned—was a particular tire safe and so on. But that is very unusual.

**Mr. Roy:** So if I, as an individual, was not involved in some sort of case, either a criminal case or a coroner's inquiry or a civil case, by and large, you don't accept the tests of that nature.

**Mr. Lucas:** That's correct.

**Mr. Roy:** Okay. Mr. Chairman, that's all the questions I have at this time.

**Mr. Chairman:** I think, we agreed before 6 p.m. that in order to accommodate Mr. Elmer Bell, we would switch at about 9 p.m. to the Ontario Police Commission.



**Mr. Breaugh:** I was going to ask if there were any other speakers on this item. Maybe we could carry this item?

**Mr. Chairman:** Well, I am a speaker on the item, that's why I am switching.

**Mr. Breaugh:** As usual, Frank was right.

**Mr. Chairman:** We will turn to 1503, item 1, Ontario Police Commission.

On vote 1503:

**Hon. Mr. MacBeth:** Mr. Chairman, I would just like to say thanks to you and the committee for accommodating the Ontario Police Commission. Mr. Bell had a supper engagement to speak and I think he will be back shortly. Judge Tom Graham is here to fill in until he gets back. The reason for the request is that on Monday, Tuesday and Wednesday, the police commission has a little matter that it is dealing with down in Napanee, that you Mr. Breaugh, were asking about yesterday. There's a fair number of lawyers and subpoenaed witnesses involved and they want to proceed with those matters. So thanks to the members of the committee for obliging the commission.

**Mr. Chairman:** Mr. Breaugh please.

**Mr. Breaugh:** I am going by the annual report which lists several items under the police commission and I assume it is appropriate to bring these up under this particular vote. Is that all right?

**Mr. Chairman:** I think so. Which page of the report?

**Mr. Breaugh:** On page 4, where it outlines the work of the Ontario Police Commission. I want to ask some questions about the criminal intelligence branch for starters. I heard some reports—I guess from the previous member for High Park—that the criminal intelligence branch wasn't exactly operating in peak condition these days. Could we have a little status report on whether you really have a full complement there and whether there are difficulties in that department or what?

**Judge T. J. Graham:** Yes, Mr. Chairman, we have a full complement. Our intelligence branch of the Ontario Police Commission maintains the repository for criminal intelligence received from various police forces from throughout the province. When that intelligence is received, of course, it is analysed and sent back to the forces on a need-to-know basis. The branch is working effec-

tively and we have our full complement on staff.

**Mr. Breaugh:** Okay, I want to ask a number of related questions to this. The first area that I want to discuss is the matter of information flow. I have very limited experience in this, of course, because not many people get to see the kind of information that flows back and forth, but I have had a number of people approach me claiming that there is false information flowing back and forth. I would like to know what procedures you have adopted to see that the information that is recorded and is transferred from one force to another is accurate information, and does an individual have an opportunity to see that information? Does he have an opportunity to correct anything that might be incorrect on that?

**Judge T. J. Graham:** The intelligence is as good as the information we receive, and the various forces within the province have on their staff certain people who are designated as intelligence officers. They have been working at it for some time and are properly trained. It is certainly imposed upon them that they should make sure, to the best of their ability, that the information supplied to the repository is good information. When it reaches our place, we have a staff of five analysts who are continuously reading the information and piecing things together and sending it out to those forces that would be interested. We have very few complaints about the information being inaccurate.

[9:15]

**Mr. Breaugh:** It would be rather difficult to complain if you couldn't see it.

**Judge T. J. Graham:** That is quite true. However, those police forces which are receiving and acting upon the information given to them certainly find out whether or not it is solid information. As I say, very few times do we receive back from the force a complaint that they were supplied with inaccurate information.

**Mr. Breaugh:** Could I ask you if your information is based upon actual charges laid, investigations made or is it based upon surveillance activities?

**Judge T. J. Graham:** Mainly upon surveillance. Of course, the information on all those who are on the list when charges are laid is reported.

**Mr. Breaugh:** I notice throughout the report reference is made to organized crime

and criminal activities. What other aspects of this society are under surveillance?

**Judge T. J. Graham:** As far as we are concerned in our office, the repository contains only information on organized crime.

**Mr. Breagh:** So in Ontario, at least under this particular item, there is no surveillance on any activity other than criminal activity, as opposed to what the RCMP might do for—

**Judge T. J. Graham:** Security; the RCMP would, yes.

**Mr. Breagh:** You make that distinction? This branch of your department only deals with criminal activities; you do not do surveillance for what might be loosely described as security reasons?

**Judge T. J. Graham:** That's quite true. Again, I must impress upon you that our staff do not carry out surveillance on anyone. We act as a repository; the information comes from the police forces which carry out the surveillance. As I say, any security information which may reach us is, of course, relayed to the RCMP. They maintain that.

**Mr. Breagh:** But you do transfer information gathered by some other source? I would take it that would be the RCMP or the CIA or Boy Scouts of America or whoever is doing that? You would transfer that information—

**Mr. Roy:** Do you transfer information from Boy Scouts?

**Judge T. J. Graham:** Not yet.

**Mr. Breagh:** Do you do any form of screening of that information? In other words, is the information flow—let's ask the question, who would be your information sources? If you don't do the surveillance, who does?

**Judge T. J. Graham:** We have belonging to what is known as the Criminal Intelligence Services Ontario some 27 municipal police forces, the RCMP and OPP. Those forces, as I mentioned a while ago, have their specialists, the intelligence officers, and as a result of that, we have a network across the province. These people are all working together pretty well as a unit. And most of our information is coming from that group.

**Mr. Breagh:** Does your information specifically come from local and provincial police authorities in Ontario? You do not

gather information from outside sources? Examples would be the CIA or Interpol?

**Judge T. J. Graham:** I must say that certain of our staff belong to an organization called Law Enforcement Intelligence, from the States, which again is an organization of police officers across the United States.

**Mr. Breagh:** What kind of an organization?

**Judge T. J. Graham:** An intelligence organization.

**Mr. Breagh:** A professional organization or one sponsored by a government agency or funded—how?

**Judge T. J. Graham:** It is funded by the United States government. It is like an association; it is the same as we have with the Criminal Intelligence Services Ontario, all the municipal forces, plus the OPP and RCMP.

Of course, there is a counterpart in the States from which they certainly do get information. They are able to phone and immediately get results if a person is under surveillance here in Ontario and maybe has a background in the States.

**Mr. Breagh:** Obviously, I have reservations, I guess, about that kind of information flow. In particular I am concerned about what are your sources of information and you have outlined some of them. Let's ask the obvious question: Do you think that in gathering intelligence of this nature you are subject to any pressures from any source other than your own municipal or provincial police officers?

**Judge T. J. Graham:** Absolutely not.

**Mr. Breagh:** And does your information go anywhere else?

**Judge T. J. Graham:** It goes nowhere else, only to the police services. We have maybe had questions asked in the House if a report would be prepared for the Solicitor General. If there's an organization, of course, that appears to be growing and becoming a danger to society we then notify the Solicitor General.

**Mr. Breagh:** Okay, but essentially you are saying that yours is a provincial organization, and yet you say—and I would like you to clarify this—certain members of your staff belong to the—what was the name you used?

**Judge T. J. Graham:** Law enforcement intelligence unit in the States.

**Mr. Breaugh:** It is an intelligence gathering and dissemination agency?

**Judge T. J. Graham:** That's true, but only on a need-to-know basis. We only get information when we ask for it.

**Mr. Breaugh:** Do you give information to them?

**Judge T. J. Graham:** If we get a proper request, yes.

**Mr. Breaugh:** You do?

**Judge T. J. Graham:** Oh, yes. Because we have a border here the criminals are going back and forth and it's very necessary that there be a relationship established between the law enforcement agencies in our country and theirs.

**Mr. Breaugh:** How would you use information from Interpol, as an example?

**Judge T. J. Graham:** We don't receive from Interpol. We don't belong to Interpol.

**Mr. Breaugh:** And you wouldn't transfer information?

**Judge T. J. Graham:** The only agency in Canada that has access there is the RCMP.

**Mr. Breaugh:** And you wouldn't, through the RCMP, gather information from that source and disseminate it in the Province of Ontario?

**Judge T. J. Graham:** The RCMP may get it, yes, and if so they would notify us if it affected someone on our files in Ontario. You see, again we go from CISO—the Criminal Intelligence Service Ontario—it is one of maybe five organizations that cover Canada from coast to coast. These organizations have their parent group in Ottawa known as the Criminal Intelligence Services Canada, and that is staffed, of course, by the RCMP, and they also maintain a repository there.

**Mr. Breaugh.** Okay, I guess my reservations are a little obvious and probably showing by now. I have seen some cases where I thought the information that was presented to me anyway clearly indicated that the information was not accurate and was detrimental to people getting jobs, to their careers, particularly people who came from other countries, where you could not check the information at its source.

**Judge T. J. Graham:** You must understand that no one has access to the information in our repository in order to prevent a person from getting a job.

**Mr. Breaugh:** Except the police officers, as an example, who might be making a recommendation to a municipal council or to a provincial licensing agency, and there are a number of occasions when that happens. Let me give you a simple example. People who want a taxi driver's licence in most municipalities will go and apply to the council for a taxi licence. The first thing the council will do is ask the local police to give them a report and that report, I take it, is subject to some information from you.

**Judge T. J. Graham:** No, not at all. That report would be subject, of course, to a man's personal record—

**Mr. Breaugh:** That's right.

**Judge T. J. Graham:** —his criminal record. We have nothing like that at all. The information the intelligence branch has in the repository certainly is never used for anything like that. They don't have access to it.

**Mr. Breaugh:** I beg to differ, but I happen to have sat on a municipal council that used your information source at one point, and let me tell you it got us into all kinds of hot water. The inference was made that the person applying had connections with organized crime. The inference was made, and the source that they quoted was the criminal intelligence branch, and we may have been right and we may have been wrong but we didn't grant the taxi licence. We certainly got ourselves all kinds of bad press, and I am frankly not sure at all that we were either right or wrong in that instance. The kind of information problem that caused us some difficulty was surveillance, that certain people were seen in the company of certain other people.

**Judge T. J. Graham:** Was this the Ontario Police Commission intelligence?

**Mr Breaugh:** That is what I was told by the police officer, that the source of the information was the criminal intelligence branch.

**Judge T. J. Graham:** Well, we can't say that that couldn't happen. The police officers have access to certain information, but not every police officer, only the intelligence branch of the force.

**Mr. Breaugh:** Okay, I have stated my reservations with that process and some of the



difficulties that are there. I want to say, too, that I recognize it's an invaluable source of information when it is correct. When it is not correct it is also something which is damn difficult to correct.

**Judge T. J. Graham:** It is; that's for sure.

**Mr. Breaugh:** People mentioned in the reports, in most instances, don't know what's in them and in almost every case don't have access and can't get access to them to correct something which might be wrong.

Let me move into this area which is discussed in a very interesting manner in this particular report. That is the whole area of organized crime and I want the minister or someone to explain the new crime fighting technique at length. I want to know how you got organized crime into the status of a profitable business—to quote your own report—and I want to know how you are using your information to contain it—as it says here—and to meet two distinctive objectives, to increase their operating overhead and to decrease their profit margin. How in the world do you do that?

**Mr. Roy:** How does that fit in this vote?

**Mr. Breaugh:** It's right in this department. It's stated in the annual report and that's why I asked the question at the beginning of the item.

**Mr. Roy:** I thought that would come under crime enforcement or the next vote?

**Mr. Breaugh:** No. To be blunt about it, I asked very specifically if the items contained in the annual report of the Ontario Police Commission were up for discussion under this item. The Chair said they were, under the criminal intelligence branch which starts on page 4; the words I just quoted are on page 6, under the same branch and that's why I want to pursue it now.

**Mr. Chairman:** The hon. member is quite correct. It is on page 6 of the ministry's annual report; all this is set out under Ontario Police Commission.

**Mr. Roy:** That's funny. I looked in what we've been given by the ministry and there is nothing there at all about—

**Mr. Chairman:** There are other things which have been given by the ministry, too.

**Mr. Breaugh:** Unlike Mr. Roy, I don't take the minister's direction quite as well.

**Mr. Roy:** Yes, you are really involved.

**Mr. Breaugh:** I want an answer to the question. It seems to me to be an amazing statement; it's a three-part one. First of all organized crime is now a business in Ontario. It is operating on the level of Imperial Oil, Shell Canada, the Royal Bank and Mr. Donut. I'd like to know how it got to that level and how you are proposing to deal with it by increasing their operating overhead and decreasing their profit margin. Are you making them subject to the anti-inflation programme or what?

**Judge T. J. Graham:** That's a good one. First of all, you have asked how we are fighting it, what the organization is. I think if we go to page 6 of the report you referred to, joint forces operations is the main vehicle used. In the budget for the joint forces operation we have an item for about \$150,000, I think. This is an organization, as I mentioned a while ago, of intelligence officers in all the major cities within the province. We, at the commission, supply equipment by way of radios and, in a number of cases, motor vehicles to the joint force operations. Besides the municipal forces I must mention that the OPP and RCMP are in most of our groups across the province.

The radios are on a very special band or wavelength. As a result of this, surveillance can be maintained on a person or persons who enter the province at almost any of the points of entry. He or they can be followed across the province and kept under continuous surveillance by members of different forces. They are able to communicate back and forth with each other through this equipment which we provide.

We have found that this is an extremely effective way of discouraging certain people from locating businesses within the province. You can well understand that I am unable to give you examples of companies which would have located here or have located with a very small operation rather than a heavier one if we hadn't had this type of information available and if the police weren't able to keep them under a continuous surveillance. When they find something they can charge them with, they are charged, and it is kind of a, should we say, more of an annoyance type of deal, because most of these people you cannot get them on a serious conspiracy charge or something like that.

[9:30]

We feel that this effort in itself, plus our repository and the flow of information back and forth, in the main is quite reliable. We feel that this has contained the growth

of organized crime within the province, and it is because of this operation and the efforts that have been put forth that we have made the statement that we have here.

**Mr. Breagh:** You realize in the course of your reply, though, if you listened carefully to what you said, and I am not sure you meant to say this, you really admitted that in every major city in Ontario there are businesses operating under the auspices of organized crime.

**Judge T. J. Graham:** No, I said there are businesses in Ontario, not every community. No, certainly I didn't mean to imply that it was in every community, but in several communities' efforts in putting this forth, they work as a team. We have legitimate businesses operating here for which certainly the money has come from organized crime. Some of them, they had hoped, would be used as fronts, but the police in the province have been very effective in containing them, and we feel that Ontario probably has an outstanding record insofar as the containment of organized crime is concerned, when compared to other jurisdictions.

**Mr. Breagh:** Okay, now you said that there are businesses operating here using money that might have come from organized crime; let me ask you the question, is it illegal to run a business with money that came from another source?

**Judge T. J. Graham:** No, it's not. That's the unfortunate part.

**Mr. Breagh:** How about getting the money into the country?

**Judge T. J. Graham:** No, it is not illegal to bring it in, but we must realize that there are and have been jurisdictions where organized crime has got onto one type of business and suddenly they control the whole thing. This is bad, but it is not illegal, we must admit that.

**Mr. Breagh:** Okay, now you really haven't answered the two objectives that you stated here. You have said that you follow them kind of closely, you bug them a little bit and if they are aware of all this surveillance they don't get too active. But how in the world do you increase their operating overhead?

**Judge T. J. Graham:** That's a good question. I will have to get the answer on that one. I don't have that.

**Mr. Breagh:** How do you decrease their profit margin?

**Mr. Roy:** By increasing their overhead.

**Judge T. J. Graham:** Just by not allowing them to expand to the degree that they would like to.

**Mr. Breagh:** What if they have a very small profitable business like bookmaking, which doesn't have a high overhead in most instances, I am told?

**Judge T. J. Graham:** Well of course, bookmaking as you know is illegal and action is taken there. We are departing now from the legitimate businesses that we were talking about a moment ago.

**Mr. Breagh:** I appreciate that it must be difficult for you to answer these questions without getting very specific on it, but I would like either you or the minister, most likely the minister, to make a more definitive statement on this matter, because I think that you have really led us around the trough a good deal. We seem to have set up a criminal intelligence branch whose main purpose, at least according to most of the function description here, is to combat organized crime. It does seem to be operating.

You seem to have outlayed, in the course of the few questions that I have asked, a substantial expenditure of funds and a substantial amount of work to combat organized crime. I recognize your reluctance to be very specific about it, but I would like one of you two to give us some assurances about the level of organized crime in Ontario. I don't hear much.

**Hon. Mr. MacBeth:** I am not so sure you are going to hear very much. We are doing our best to keep organized crime at a minimum. What is organized crime? I suppose whenever two people get together and decide to commit a crime; in one sense that's organized.

We feel that organized crime is reasonably well controlled within the province. You've heard about the intelligence services and how we keep track of people whose purposes we suspect are to unite in some kind of common front to commit crimes and use the money from those crimes perhaps in legitimate business. I suppose it's the same in a way, as the United States Treasury did years ago when it tried to break organized crime by getting after them through taxation measures and things of that nature.

We're fighting it in every possible way we know. When we find these individuals conducting some sort of illegal process and we have sufficient evidence to lay charges, we

lay those charges. But they're pretty astute people and they manage to keep a pretty low profile. They know what the limits of the law are and they certainly make it difficult for the police departments. That is why you need this kind of surveillance, this kind of intelligence and this kind of perpetual vigilance.

If you want us to give you specifics I suppose you can take the drug raid which took place in Metropolitan Toronto yesterday. I think that's a pretty good example of the way the police forces work together to catch criminals. In this case, it happened to be those engaged in the drug trade.

I suppose that's organized crime. That's the result.

The OPP took part in that; and Metropolitan Toronto forces and the RCMP took part. I'm sure, although I haven't got information—I shouldn't say I'm sure, I suspect—that a lot of that was done through the kind of intelligence we've been gathering. To use this colourful phrase—to increase their operating overhead and to decrease their profit margin—I'm sure the kind of drug raid that took place yesterday increased their operating overhead and decreased their profit margin. I think perhaps we're adding some dignity to it by putting it in words that legitimate business uses and I think you can be rightfully critical of that kind of language.

**Mr. Breagh:** Okay. Let me make this point: In other jurisdictions in Canada and in the United States, organized crime is openly accepted as being in operation; it is admitted to by authorities ranging from the police force to various government ministers or heads of State; and it is attacked in a number of ways—tax measures, crime rates, shutdowns. It's openly acknowledged to be there and it is dealt with in a number of ways.

In Ontario, although we have described an intelligence branch which functions almost entirely for the purpose of combating organized crime, we are not really prepared to admit that. As you say in this report, there are 300 trained intelligence officers operating in strategic locations in the province. That sounds to me like a substantial operation yet we never hear any admission that there is an organized crime ring in Ontario.

What we do hear about is spasmodic occasions such as the supposed \$1 million bust which went on yesterday, from the early hours of the day before, but not an admission that there is organized crime. What confuses me about the particular issue is the

very quite way in which it is approached. We can certainly acknowledge that this week we made a \$1 million drug bust. That certainly had to be highly organized; it took three levels of police forces to bring it off.

I recall in the last year another one for \$100,000 involving 30 or 40 people, I think. You hear of instances in rural Ontario, of all places, where large raids are made, some of them not too far from where I live. Officers went in and spotted marijuana growing gaily in the field. They cleaned it out and arrested a few folk.

There would appear to be a rather different approach, if you like, to fighting organized crime in Ontario which, in essence, does not quite deny its existence but at least says that it isn't very much around here—yet we're spending substantial sums of money fighting it. We have a branch identified here and some 300 officers identified as being in the field. We're quite happy, after a bust of the significance of the one this week is made, to claim, "There's an occasion when we fought organized crime." What happens all the rest of the time? What's our approach? I am not terribly sure that there is one. You see, I would like to be happy with the minister's reply that yes, we are fighting organized crime, and yes, it is under control in Ontario. That takes a lot of faith on my part. Is my faith justified?

**Hon. Mr. MacBeth:** I think the results that you see in this province show that there isn't the kind of crime that there is in other jurisdictions of a highly co-ordinated nature. I don't say there isn't any, and I have asked you what is organized crime. When you say is there organized crime existing in Ontario, what do you mean by organized crime?

**Mr. Breagh:** Okay, let me give you an example. I don't know why this happens, but it seems that every once in a while in Montreal, in Quebec, somebody gets shot in a tavern, and the news reports and the police officials and the ministers of the Quebec government are prepared to admit, yes, there is organized crime there; yes, we are doing this; yes, we are doing that.

In Ontario, I seem to recall that not too far from this building, in the middle of the afternoon, somebody in an office building walked in and shot somebody else. In Ontario we say well, that happened, but we are not prepared to admit that there was any organized criminal activity involved.

**Hon. Mr. MacBeth:** Why do you say you are not prepared to admit it? I say when any



two people get together and organize something, that's organized crime. Have you got a different definition of organized crime, and if so what is it?

**Mr. Breagh:** If you want to argue about organized crime, you are right, any time two people get together, that's okay, that's organized crime, but I am telling you that if you have a criminal intelligence branch set up to investigate every time two people meet, and 300 officers in the field to investigate every time two people meet, something is screwy here.

**Hon. Mr. MacBeth:** I don't think that is the reason it is set up.

**Mr. Breagh:** Then you must have a definition of organized crime that you are trying to combat in some way.

**Hon. Mr. MacBeth:** Well, I think we are trying to combat large operations, such as the one that I say was building up to the drug raid that took place yesterday, that to my mind is organized crime.

**Mr. Breagh:** Okay, but you are saying large operations?

**Hon. Mr. MacBeth:** When you say organized crime, I am saying that could be two people. I am thinking of a larger network than that, maybe five or 10 people working in unison, in some kind of combined purpose to effect some kind of premeditated and long-range scheme.

I have asked you for a definition and I have tried to give you what I have in mind. You asked me whether we have organized crime and I have yet to hear you produce any type of definition of what you mean.

**Mr. Breagh:** Okay, let me perhaps point it out in this way. In all of your information—and I have noticed this as being kind of unique—I notice that the words organized crime are in small case. In other jurisdictions that I am familiar with they would be in capital letters, essentially because a couple of years ago someone decided that it isn't quite proper to refer to them as the Mafia, or "the mob," or something else, and in several jurisdictions in North America the nice way to say that now is to refer to them as organized crime, but you use capital letters to identify them.

**Mr. Bullbrook:** That's the way I see them on page 6.

**Mr. Breagh:** In certain areas you will find that, but you will find when you go through

it that they refer to it in small-case letters. It's a matter of emphasis I suppose.

**Mr. Bullbrook:** I am sorry to interrupt, I just saw it twice on page 6 and it was capitalized in both instances.

**Mr. Breagh:** Yes, it depends on where you look in the thing.

**Judge T. J. Graham:** Mr. Chairman, I think that we are missing the point here. In Ontario, I don't think the government has denied that there is organized crime as such. In organized crime we refer to such agencies as you have indicated, and maybe the "Cosa Nostra," or "the family," whatever you want to call it; but in Ontario we don't have any "Mr. Big." You see reports coming out of Montreal, where Mr. Cotroni is allegedly the boss in Quebec, as far as organized crime goes. We have the Magaddino family from Buffalo, and the Bonannos and so on.

We do have representatives of these groups within the province. We do have lieutenants or fellows who are working here, but we believe—and when I say "we" it is the police of Ontario—we have been able to control it to the degree that, as far as is known by the agencies within the province, there is no Mr. Big. This is why we say that in Ontario it has been contained, because there is no more lucrative jurisdiction around than Ontario would be for organized crime to locate in and have their Mr. Big.

This has to do with the splendid work of the police forces within the province. It has to do with the lack of corruption among the politicians, the judiciary and the police.

**Mr. Breagh:** We've got agreement on one point anyway.

**Mr. Acting Chairman:** Do you mean the judiciary?

Go ahead, Judge Graham.

**Judge T. J. Graham:** These are things we should be very grateful for. We have it here. We've got organized crime. There is no question about that but we don't have it to the extent it is controlling any—there is no organization controlling any part of crime or any part of an illegal operation as it does in other jurisdictions. That's why we feel our operation—as I said before, our criminal intelligence branch is only a repository. We do analytical work; we don't do the road work. We do supply leadership by way of organization for the JFO in all the municipal areas where we have intelligence located.

**Mr. Breagh:** I guess the differences, I find, are really pointed out by several news reports

I heard last year, from Buffalo, N.Y., I think—we managed to get the Buffalo stations—and they were investigating, in capital letters, organized crime in Buffalo, and they named certain individuals who happened to live in Canada.

The other comment I wanted to make was on a point we alluded to earlier. It's in your description of a thing called the central repository for intelligence in Ontario, maintained by this intelligence branch within the commission's premises. It says, "Here all intelligence gathered by police forces and other agencies is analysed, evaluated and disseminated on a need-to-know basis to the police forces in Ontario." That strikes me as being perhaps the most difficult of all jobs because you are taking information which you refer to here as raw intelligence and you are analysing it to see what it means, evaluating it and then disseminating it on a need-to-know basis. I do hope those people always do the right thing and never make a mistake.

**Judge T. J. Graham:** The ones involved in this type of work are people with years of experience in the field. One was with the Ontario Provincial Police for some 22 years, I believe, and three are former RCMP officers who were involved in intelligence work with the RCMP. The four of them, as I say, are persons who are extremely well qualified and certainly conscientious insofar as trying to maintain the information in the repository as clear as possible.

When they send it back to the municipality it's only because they may have something on a man who, a year ago, was working in one area and has moved to another area now and they feel that force should know about him.

As a repository, we take the greatest precautions to make sure that our information is good.

**Mr. Breaugh:** Okay. Could I ask some questions on a thing you referred to here as your technical services branch?

I have had some dealings with them. The nice title you have here is Computer-aided Dispatch and Record Entry programme. I've had some interesting dealings, and I suspect other people have, with that computerized service, particularly as it relates to driving offences.

The classic I have, I guess is the guy who was stopped in Scarborough two years ago for driving with a headlight which wasn't working. Subsequent to that he moved to Oshawa and when this system was put in they managed to run them out and he was

picked up. The police arrived at his door with a thing which I think is called a bench warrant, though I'm not a lawyer; it is either pay me now or go directly to jail.

**Mr. Acting Chairman:** Do not pass "Go".

**Mr. Breaugh:** He paid but two weeks later they arrived again and he paid again. Three weeks later they arrived again. He went to jail and tried to explain that he had paid twice and, aside from not paying the fine again, he would like to get a refund. The interesting thing was that there didn't seem to be any system in place for either stopping the computer or getting a refund. After several escapades with the local police force we managed to get him a refund. I hope all of that has been corrected. Has it?

**Judge T. J. Graham:** Yes, we have now three teams that are going throughout the province checking and auditing the information that has been put on by the various forces that are connected to the CPIC system. What has happened in your case, quite likely, is that when a bench warrant is issued and it is put on by a municipality, we'll say, Oshawa, and once that bench warrant has been executed, it is Oshawa's responsibility to remove it from the files. They have failed to do that. This is the very thing the three teams that are out now are looking for and trying to make sure that the information on the system is all good.

**Mr. Breaugh:** It seemed to be a very basic problem that the computer was quite geared up to spewing out the information but there didn't seem to be any way to stop it or to make a correction.

**Judge T. J. Graham:** What has to happen is the municipality that puts the bench warrant on the system is the only one that can remove it, and it failed to do that. Toronto couldn't remove a warrant that has been put on by the city of Ottawa. It has to be removed by the city of Ottawa.

**Mr. Breaugh:** Could I ask you too about the integrated radio services programme which alludes to a problem that occurred when a province moved to regional police forces, as they did in my area, and although there was a regional police force there was not a radio communications system anywhere in the region that could reach the different parts of the region. I notice most police officers these days carry a small radio with them, even in the cars, as opposed to having a radio system attached in there.

I notice in here you note that several forces are receiving grants, but would that not be a fundamental thing when you first introduce the idea of a regional police force, and how important is it to them to have an integrated radio services programme, whatever that is?

**Judge T. J. Graham:** That is quite true, it does happen. I believe you are from Durham region?

**Mr. Breaugh:** Yes.

**Judge T. J. Graham:** Durham received a startup grant for its radio system. The system was designed in conjunction with our technicians and the Durham people, and I believe now it can reach all parts of the region.

**Mr. Breaugh:** I think this year.

**Judge T. J. Graham:** It is just a new system, and that was all part of your startup grant. It is not from the fund that is referred to in our vote.

**Mr. Breaugh:** Finally, under this item, there is an advisory branch which deals with the police development section and reports on police training. We did indicate earlier that we wanted to hear some updated information, if you like, on what kind of training goes on for police officers.

Let us set aside for the present the matter of difficulties we might be having in certain areas of the problem and talk about the ideal police training system that we are now running, and how we are getting it to be better. I am particularly interested in what fields you are choosing to emphasize in police training and how you are going about that.

**Judge T. J. Graham:** That is under the Police College vote. Do we jump to that now?

**Mr. Breaugh:** I am really dealing with it here under the advisory branch, which is contained in your report.

**Hon. Mr. MacBeth:** Is there part of that under the first item?

**Judge T. J. Graham:** We will answer it now.

**Mr. Breaugh:** We could deal with it when we are discussing the college and the training programme that is there, but in particular, I was interested in this advisory branch which, as opposed to dealing with programmes that are now under way, advises, and I would take it, does some planning into the future as to what kinds of

training police officers should have. It does not really relate to—

**Judge T. J. Graham:** No, the training part that is referred to in our advisory branch has to do with the records management, Barrie pilot project on records, and so on. We have on staff a chap who is an expert in this area and we provide to the forces this expertise in helping them to design their records system; helping them to determine how to cleanse the records and so on. Now we send out a team of people and work with the force involved. As is indicated here, the Barrie pilot project has been done. We have about 15 police forces that have taken advantage of this service. It has only been in effect for the last 10 or 12 months.

**Mr. Breaugh:** Okay, so what you are saying then is, in effect, under this item you are really looking at records management, or if you like, administration.

**Judge T. J. Graham:** Administration.

**Mr. Breaugh:** You read the first part of it where it discusses the personnel development section, which I take it is composed of some human beings at some point in time. The report on police training is discussed, the Ontario training programme for probationary constables has been completed, and the Ontario training programme for junior supervisors will be submitted for approval at the beginning of April.

I was really wondering whether you had, in this advisory branch, made any decisions that police officers in Ontario need more training in sociology, or more training in crisis intervention, or things like that, as opposed to learning karate and firing of weapons?

**Judge T. J. Graham:** We have on staff a chap who is responsible for personnel development, as is indicated here. It has been his job to determine the type and extent of the courses that are going to be redesigned for the new Police College. They will be starting the first of January, we will say. At the present time he has just completed, after about two years, with assistance from various police forces and other agencies, the new recruit training programme for the police officer. Until now we have had a 12-week course and we have been unable to extend it to any great length because of the limited accommodation that we had. However, with the new college it is a different ball game now, and starting in January the recruit course will be either 15 or 16 weeks.



**Mr. Acting Chairman:** You are really getting on to the Police College.

**Judge T. J. Graham:** We are.

**Mr. Breagh:** Yes, I don't want to get into that part of it. I would really like to leave that until we deal with the Police College and talk about the training that is offered now. The question I am asking is, in this advisory branch, in the personnel development section, are you happy with the kind of training that now exists? Are you looking forward to a different kind of police training system in Ontario? What might your recommendations be in that area?

I am not talking about existing programmes, or things like that. I would like to know if you like the philosophy that you are trying to develop? Are you anticipating that police officers 10 years from now will be, or ought to be, trained in a different manner than they are now, or ought to have different skills?

**Judge T. J. Graham:** We would hope, of course, there will be quite an improvement. I think probably I could have Mr. Hale answer that. He has been working here as a special consultant to the commission. He was the chairman of the task force on policing. He has been involved in the development of psychological testing and evaluation of the police officer, and the recruit deal. Probably you would like to hear from him. That has to do with the personnel development, and that will start us off on what we hope to have for the future.

**Mr. Breagh:** I would seriously like to deal with this part of it as opposed to the actual training that is going on in Aylmer now.

**Mr. Acting Chairman:** I wouldn't for a moment rule it otherwise. It would seem to me that it would be more appropriately integrated at the same time as your discussion of the Police College. If you want to go on with it now—

**Mr. Breagh:** I am just concerned that I would like to have a full-fledged discussion about the training system that is in place, and I would now like to hear what you are contemplating.

**Mr. Hale:** Personnel development has been broken down into elements that start with the recruit. In other words, a project on recruitment standards has been carried out and completed and is now disseminated throughout the forces. Our investigation

showed us that there were a wide variety of standards, some of them perhaps less adequate than others, so the commission carried out a project to study and research recruiting methods throughout the world, and from the best possible systems that had already been validated, selected a system which is quite unique but applicable to Ontario conditions and Ontario forces.

[10:00]

This culminated in a guide to all police forces in Ontario, offering a system of ensuring that the best possible candidate is selected by recruiting. In other words, if you're going to improve the quality, you've got to start at the door. The next section of personnel development we seized on was personal evaluation, i.e. to ensure that the most suitable people were selected for advancement, promotion and that their skills and best qualities were best used and that inadequate, inappropriate people were not able to proceed up the ladder.

This has also resulted in a guide to the police forces. At the present moment, I am conducting courses for supervisors in various police forces—regional and major forces and some of the small forces—on interviewing, evaluation, etc.

We've also set up a psychological screening system primarily for recruits but it can be used at any point throughout a police officer's career. First of all it is to find the inadequate and inappropriate people who are applying as recruits and should not be employed as police officers. Secondly, to find the best use for people who are presently in the forces and to find out which are more adequately equipped to be promoted and to progress farther in the service.

**Mr. Breagh:** Are you contemplating, in that kind of research, any psychological studies, as an example, or psychological testing for applicants?

**Mr. Hale:** Yes. This is a key in the final screening in the selection of recruits. It is also used to some extent by some forces, of their own volition, as a key to selection for promotion and advancement within the force.

**Mr. Breagh:** One of the things which interests me was the study done in the British Columbia training school. The report I read had to do with police chases and the kind of training they do. One of the observations made by one of the teachers in the course was that certain adrenalin flowed very high even during simulated police chases which strikes me as being normal behaviour. But—

and this, I found, was put in a rather light-hearted manner but I'm not so sure it is—one of the things he did as a teacher was to remove their weapons during the simulated chase—which is surely a controlled situation—because he found that candidates displayed a tendency to pull the weapon even though it was a simulated chase, even though they were chasing fellow cadets. They pulled the weapon—I wondered if that is really normal behaviour? That enters the area you're discussing.

**Mr. Hale:** This, of course, highlights the need for training and discipline. First of all, proper selection, to ensure that you haven't got a person with the wrong impulses and reactions in a human situation. Secondly, to ensure that they're trained and skilled and competent to control themselves in these highly volatile situations. The psychological testing is very valuable in this respect.

**Mr. Breaugh:** Let me ask you something. The report or the order or memorandum put out on the police chase situation, do you have any indications that normal people could follow a memo like that with better results than were previously possible without the memo? In other words, does a memo like that do any good?

**Judge T. J. Graham:** We think it does.

**Mr. Hale:** It standardizes policy to some extent and gets people thinking in a set pattern. I think that is the main value.

**Mr. Breaugh:** Were you concerned, when the minister put out that memo, with the effectiveness of that technique as opposed to the wide range of other approaches you could have taken to make the same point? Such as increased days on the job training and a number of other things. Is it your responsibility to consider how effective that kind of change in philosophy, as expressed by the minister, can be transferred to an officer operating in the field? Do you consider that as part of your personnel development programme?

**Mr. Hale:** I think that is one of many things which must be done and they're all being looked at. The additional training aspect—of course, training and the self-confidence which come with discipline and training are the things that make an officer react properly and not over-react in a bad situation.

**Mr. Chairman:** Pardon me, Mr. Breaugh, can you justify this line of questioning?

**Mr. Breaugh:** Yes, we are discussing a thing, under the responsibilities of the Ontario Police Commission, called the advisory branch, which you will find in the minister's report on page 8. It indicates in here that this is the branch that does personnel development and that uses study groups to design training programmes, and we are really discussing, not programmes now in existence but how they go about studying and designing those programmes and what they do.

**Mr. Chairman:** You are almost as adroit as Mr. Roy.

**Mr. Roy:** No he's not. He's sorting out my errors.

**Mr. Breaugh:** Good.

**Hon. Mr. MacBeth:** We suggested that it might properly be done under the college at Aylmer, but Mr. Breaugh decided he wanted to do it at this point. I might refer to the suggestion that the direction went out from the minister—it went out from the police commission, sir.

**Mr. Breaugh:** I take it, though, that was at the instigation of the minister, was it not?

**Hon. Mr. MacBeth:** At the instigation of the minister yes, but the commission was left with the job of analysing what kind of information should go out and subsequently preparing it and sending it.

**Mr. Breaugh:** Okay, I was interested in the study group situation that you described in the report. How would you go about picking people? What kind of qualifications would they have? You use the words here: "Two suitably experienced police officers."

**Judge T. J. Graham:** I will take the recruit training committee. We had an inspector from Hamilton who had been in charge of training, an inspector from the OPP, and an inspector from Metropolitan Toronto, Mr. Bill Shimmin, one of our advisers, chaired this committee and they spent about 1½ years studying the various methods whereby recruits were being trained throughout the world, and through their efforts they have come up with the new package starting, as I say, next January. These are all experts in their field, very knowledgeable people, whose experience certainly warranted a—

**Mr. Breaugh:** The reasons I am asking these questions, which I guess may not have been asked before, is that this is a field where I have done considerable work in another field, in the teaching profession to be

exact about it, I found the faults to be many, because there were people designing programmes on a very inbred basis. Only teachers did this kind of programme development, personnel development analysis. Only teachers tended to do that study. We tended not to bring in people from other fields, and I think to our great loss.

In addition to that, many of the programmes that we studied, many of the reports that we did, never got to anybody past a certain level. They tended to go to administrators and things like that, but there was no influence in terms of rank-and-file teachers. I am concerned that this advisory branch in the ministry may be faced with the same problems and I am interested to hear how you would get around those.

**Judge T. J. Graham:** For instance, the recruit programme is starting Jan. 1; there is just no problem whatever.

**Mr. Breaugh:** So, you seem to be implementing the kind of studies that you do and the analyses that you make?

**Judge T. J. Graham:** Absolutely.

**Mr. Breaugh:** In a way that at least satisfies you.

**Mr. Hale:** In every case we have used seconded officers, working officers from police forces, with special training in the aspect that we are looking at.

**Mr. Breaugh:** Do you bring in people from outside your own field. Do you bring in sociologists, psychologists and things like that?

**Mr. Hale:** Oh yes.

**Mr. Breaugh:** Okay, I think I have annoyed Mr. Roy sufficient to give me satisfaction, I pass.

**Mr. Chairman:** Mr. Roy.

**Mr. Roy:** That is not a very good motive to have, as the critic here. As a matter of interest—

**Mr. Chairman:** Mr. Roy, can you get closer to the microphone? You are back a little too far.

**Mr. Roy:** You want me recorded for posterity, eh? Just as a matter of interest, I thought we were doing this vote to accommodate Mr. Bell. Is he here?

**Hon. Mr. MacBeth:** No, Mr. Bell has not arrived yet.

**Mr. Peterson:** It's 10:15.

**Mr. Roy:** I just mention that because are we going to see him back here?

**Judge T. J. Graham:** He should be here now.

**Mr. Roy:** Okay, seeing that Mr. Breaugh started talking about organized crime and that aspect of it, I thought that I should make some comment, Mr. Chairman. My comments are directed especially to the minister. Judge Graham mentioned a few things which I think are apropos of organized crime but I thought the responses on the part of the minister in the exchange with Mr. Breaugh were very weak indeed when you were talking about organized crime.

For instance, there was your comment that if you get two people together that may be organized crime. Surely we know what we are talking about? We are not talking about the situation in which a bunch of kids get together and start breaking into houses in one sector of the city. I would think that your comment about the drug ring or the drug raid a few days ago is not the type of thing we are talking about in organized crime.

I suggest to you this drug ring was probably busted because there was an undercover operation going on. It is not the type of organized crime which involves the structured type of situation with the families you have talked about, Judge Graham, in loan sharking, prostitution, pornography and so on. I don't even know there are drugs in that.

My information on that drug ring is it was a number of young people. Because of the lucrative trade in drugs, you get all sorts of characters getting in who sometimes had no association with crime prior to getting involved in drugs.

I think we know what we are talking about. We have seen organized crime of the type mentioned before; that is why we had an inquiry into the construction industry. It was a type of organized crime which was of concern to us.

I agree with Judge Graham when he says it would appear that in this province there is no sort of pyramid operation in which you get the boss at the top, the godfather type of situation, like a Cotroni in Montreal; or even in another sector of Montreal where you have the Dubois family controlling another aspect of Montreal; or in other jurisdictions such as in the US.

I agree with Mr. Breaugh that we have a strange approach in Ontario. I shouldn't say



strange; I suppose it is a consistent approach because I have seen a succession of Solicitors General give the same answer. I suppose your answers were better than those of one of your predecessors who didn't even want to use the word Mafia. The fact remains that we have a tendency, I suggest to you, to play the ostrich in this. We have a tendency to say if we don't talk about it too much, if we don't publicize it too much, the appearance will be given to the public that organized crime is an operation going on in other jurisdictions, in other areas, maybe, of this country but it is not going on too much here.

For instance, the commission or inquiry in Quebec would give the appearance of there being a far bigger operation of organized crime there and that it is far more extensive than in Ontario. It may well be a fact that it is more extensive but I don't think the discrepancy is quite that much. What the commission does do is publicize it, bring it out openly and let the public know about it—and let some police forces know about it because many police officers would not see the relationship between a certain operation and an organized type of activity.

I am saying that in this province we seem to have a tendency to think that if we don't publicize it too much, and don't talk about it too much, the public will think the operation is not going on. As you mention, Judge Graham, Ontario, especially Toronto—not only Toronto, I suppose, but Hamilton and Ottawa—is an area where there is a lot of money. There is a lot of money in this city and this is an attractive field of activity for organized crime.

We shouldn't be afraid to talk about it. We shouldn't be afraid to say what we are doing to combat it and we shouldn't take any gratuitous type of approach and pat ourselves on the back and say, "It really hasn't gained a foothold here because our police officers are not corruptible. Our judges and our politicians are the same way."

I am certainly not here to defend the Province of Quebec but it seems to me that with all the organized crime activity in Quebec we have heard about—let's say, the meat scandal, the loan sharking and I don't know what other type of operation we have heard about in the commission—we have never heard any mention at all that judges were involved; that politicians were involved; that lawyers were involved in that process. For them to gain a foothold and operate quite effectively and extensively in the community in our day and age does not require the tacit

approval or the payroll to buy a judge or politicians.

[10:15]

What I am trying to say, basically is that I think we have an approach here that if we don't talk about it too much, it doesn't go on.

I have looked at this situation. I have been looking at the question of organized crime for some time. I have been around this House since 1971 and I have discussed it with various people. I always take the opportunity of seeing what the police are doing about it.

For instance—I don't intend to get into it—I have here a list which I could probably compare privately with you, Judge Graham, of the names of all the lieutenants in Toronto, Hamilton and Ottawa. I am sure these names would ring a bell. I don't intend to get into it but there are sufficient names and they are sufficiently familiar names to give an indication that there is certainly a structure in this province. There is a structure, I think, in most cities in this province. It is no coincidence, for instance, when they arrest a fellow like Violi who is at present in jail because of contempt of the police commission in Quebec. They arrested him—I think it was in Hamilton or in Toronto—

**Judge T. J. Graham:** In Toronto.

**Mr. Roy:** —and there are connections between Montreal and what goes on in Ottawa-Hull. I am told that the connection running between, let's say, Hamilton and Toronto seems to run toward Buffalo and the connection at Montreal seems to be between Montreal and New York.

The point I am trying to make, Mr. Chairman, to the minister is that I don't think we should mince words. I don't think we should say, "Give me a definition of organized crime." You say nobody can give you a definition of organized crime. If they could, we would have a definition in the Criminal Code. One of the problems in drafting law against organized crime is that they can't give it a proper definition. In Edmonton, Calgary and places like that out west, they feel organized crime is a boy going out rustling cattle. Somewhere else this may be the fellow stealing wheat or stealing apples off the trees.

I think the organized crime we are talking about here is the type of operations we have heard about. There's prostitution and I am convinced—I think probably you are as well—that there's great activity of organized crime behind the distribution of pornography.

**Mr. Peterson:** On a point of personal privilege, I would like you to know that I was accosted by two prostitutes on the way to work tonight and almost brought one—

**Mr. Chairman:** That is not a point of personal privilege.

**Mr. Peterson:** I thought the Solicitor General ought to know that.

**Mr. Chairman:** I think he is bragging a little.

**Mr. Peterson:** I wasn't trying to make you jealous, Mr. Chairman. I thought I would get it on the record.

**Hon. Mr. MacBeth:** Simply because there were two of them together, I suggest they might have been organized.

**Mr. Roy:** That's right. You wouldn't want to suggest that they were necessarily organized; probably they were in competition.

The fact remains that I think what we are talking about is the type of systematic activity whether it is in the construction industry, loan sharking or something else. I think it does exist here and I think we should give serious consideration—it has been ruled by the Supreme Court of Canada that these crime commissions are legal, for instance, the crime commission in Quebec. Are we to kid ourselves here and say, "What goes on in Quebec is typical of Quebec, and in Ontario it is not really necessary"?

I am suggesting to you that it's important for the public to know what type of activity is going on.

One of the most effective ways—I have discussed with the police and with the commissioners in Quebec their operation there, and how it is that type of commission not only entertains the public—heck, they were watching some of the hearings on television late at night—but is educational for the public. The public knows and trusts the hearings if there is an operation, whether loan sharking or—for instance, the Dubois brothers were famous in their area of Montreal for terrorizing the whole community. There were kickbacks. Everybody who had a bar, or hotel or something had to pay for protection and this type of thing.

Are you saying that here in Ontario there is no evidence that money is paid for protection in certain areas of this city? That there is no loan sharking going on backed by organized crime here? That you have no evidence that organized crime is pushing either

prostitution or pornography? I would like to have some answers.

**Judge T. J. Graham:** We don't deny any of those. We admit that organized crime is involved in prostitution. We admit that extortion and loan sharking exists here. We agree with you—I don't know whether you meant to use the words the lieutenants in Ontario—we don't have Mr. Cotroni and we don't have Mr. Violi.

**Mr. Peterson:** How do you know that?

**Judge T. J. Graham:** It hasn't surfaced, we'll put it that way. We have 300 people doing nothing else but seeking and working on the intelligence end of it and no Mr. Big has turned up. We do have Mr. Violi and Cotroni who have had an interest in Ontario. Yes, we admit that. We don't deny that at all but these people are under constant surveillance.

Paul Violi was not arrested accidentally here in Toronto. He was under surveillance from the minute he crossed into Ontario and he could have been arrested at any time. The Quebec Police Commission knew exactly where he was, through our intelligence network, at all times and he could have been arrested the very minute he came into Ontario but we didn't want him picked up at that particular moment.

We have extortion. There's no question about that; and we have the prostitution rings and the police are working on these things. I do disagree with you, Mr. Roy, when you say it's not necessary to have the politicians on your side. It is very necessary and it is very necessary to have the judges. If you read the Quebec reports, the transcripts, I think you may find references in the transcripts.

**Mr. Roy:** The reason I suggested it didn't appear is that most of the transcripts are the televised proceedings. Surely, if there was some allegation against the judges the press would have played it up.

**Judge T. J. Graham:** There have been press releases and on television there have been certain instances. I'm unable to—I can't mention names here. I don't think the minister or anyone would want me to. There have been politicians who have been involved in the background of these people, associated—

**Mr. Roy:** Names of elected politicians?

**Mr. Peterson:** Names mentioned publicly?

**Mr. Roy:** I don't recall that. As I say, I'm not here to defend them; I'm just saying I don't recall—

**Judge T. J. Graham:** I'm not here to accuse them, either. These people being dealt with before the Quebec crime commission inquiry are very high-ranking persons within the organization. Their background, we can go back to—I'll put a question to you: Do you know who supplied all the meat, we'll say, for Expo? One of the persons mentioned in the inquiry there.

**Mr. Roy:** Yes, but there, again, when the meat scandal came out of Quebec—do we know who supplied the meat to the distributors in Quebec? We found the distributors were in Ontario.

**Judge T. J. Graham:** You see.

**Mr. Roy:** I have very little time left to ask you one question. You don't feel that at this time it would serve a useful purpose to establish a crime inquiry here?

**Judge T. J. Graham:** Honestly no. I do not know how we would—who we'd bring forth. We have certain people we could bring forth. We could ask some questions. There is no question about that, and publicize their connections with organized crime. But all you would be doing is letting the public know that there is organized crime here. Do you want to have an inquiry just for that purpose?

**Mr. Roy:** No, but what happens is that the classic case—the reason they are having the inquiry in Quebec is that they accumulated all this evidence, a lot of it through wire-tapping. I'm sure you're doing some of that here.

**Judge T. J. Graham:** We don't do anything like that. We're just a repository. The police may—

**Mr. Roy:** Yes, I know you don't. I visited the whole operation in Montreal and I tell

you it's something to observe when they have 30 taps or so going at one time. The reason for the commission is that many of these activities are not covered by the Criminal Code. You cannot lay criminal charges. There's a frustration which builds up when you're watching this operation and at one point you've got to release it; first of all, to justify your existence and secondly to educate the public and let the public know. When it comes out openly the worst enemy of organized crime is publicity—when the public knows. That is the reason we had an inquiry into the construction industry—we wanted to show that it was widespread. All of these activities are not covered by the Criminal Code. In fact, subsequent to the inquiry into the construction industry, the only charges laid were perjury in what happened at the commission. Not wanting to go past the time I wanted to make these comments.

**Judge T. J. Graham:** We really don't feel that at the time we could conduct an inquiry which would do anything more than publicize the involvement of certain people.

**Mr. Chairman:** On Monday, after the question period, I think we will return to vote 1502, the Centre of Forensic Sciences. We will adjourn tonight.

**Mr. Roy:** We will wait until we have completed that before we get back to this item?

**Mr. Chairman:** My guess would be that we would return to the Ombudsman on Wednesday.

**Mr. Peterson:** When will we be back on this vote, Mr. Chairman?

**Hon. Mr. MacBeth:** Probably not until Thursday or Monday of next week, I guess.

**Mr. Chairman:** That would be my guess; Thursday maybe.

The committee adjourned at 10:32 p.m.



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 Sandeman, G. (Peterborough NDP)

**Officials of the Ministry of the Solicitor General taking part:**

Graham, Judge T. J., Member, Ontario Police Commission  
 Hale, E. B., Special Consultant, Ontario Police Commission  
 Lucas, D. M., Director, Centre of Forensic Sciences  
 Wilson, F. L., Assistant Deputy Minister





Government  
Publications

# Legislature of Ontario Debates

**SUPPLY COMMITTEE—1**

**ESTIMATES, MINISTRY OF  
AGRICULTURE AND FOOD**

**OFFICIAL REPORT — DAILY EDITION**

**Third Session of the 30th Parliament**

**Monday, June 14, 1976**

**Afternoon Session**

**Speaker: Honourable Russell Daniel Rowe**

**Clerk: Roderick Lewis, QC**

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# LEGISLATURE OF ONTARIO

## SUPPLY COMMITTEE

MONDAY, JUNE 14, 1976

The committee met at 3:22 p.m. in committee room No. 1.

### ESTIMATES, MINISTRY OF AGRICULTURE AND FOOD

**Mr. Deputy Chairman:** We'll have the minister give an opening statement and then follow up with the NDP critic, Mr. MacDonald, and then the Liberal critic, Mr. Riddell. We'll go in rotation from there.

Before we do that, let's establish the hours that we're going to sit. It's my understanding that we sit all the time the House is in session with the exception of Tuesday when the minister will be in the House. Is this correct?

**Hon. W. Newman:** Right.

**Mr. Deputy Chairman:** Will you be there all day?

**Hon. W. Newman:** I would anticipate, yes.

**An hon. member:** Is there something important coming up on Tuesday?

**An hon. member:** There is to the farmers of this province, yes.

**Mr. MacDonald:** You'd never know it from your bill.

**Mr. Deputy Chairman:** It's just possible that there may be something important coming up on Wednesday that we will all have to be in the House for.

**Hon. W. Newman:** Yes, that's quite true; or Thursday.

**An hon. member:** Or Thursday.

**Mr. Deputy Chairman:** Do you sit in estimates on Thursday, sir?

**Hon. W. Newman:** Usually.

**Mr. Deputy Chairman:** We haven't, but I think it's our understanding that we will for this—

**Mr. Ruston:** We sat last Thursday.

**Mr. Deputy Chairman:** We'll sit this afternoon and tonight. What do we do from there on?

**Hon. W. Newman:** My suggestion, Mr. Chairman, is that if we do not finish that bill on second reading tomorrow night, I think they are going to continue with legislation. I would assume the House leaders would have to make a decision whether we go forward with the legislation again on Wednesday. That would be one thing which would preclude me from coming in for estimates, if I am in the House for the bill, to finish it up if it doesn't get finished tomorrow. I don't know what the House leaders have decided.

That would be one of my concerns, of course. But I'm quite prepared to sit here as long as you want me to, as far as the estimates are concerned. But if the bill goes forward to standing committee then I assume we would also, at that point in time, preclude the estimates. I don't know if that would be up to the House leaders again to preclude the estimates to deal with the bill in committee.

**Mr. MacDonald:** Or, the other scenario: If it doesn't go to committee or anywhere we may have to be in the House on Wednesday or Thursday to give this government credibility for continuing its rule.

**Hon. W. Newman:** That's right, depending on which way it goes.

**Mr. Ruston:** We could have a hot election.

**Mr. Deputy Chairman:** So it depends on time. We sit this afternoon and tonight and from there it's up in the air, okay?

We'll start with the minister.

**Hon. W. Newman:** Mr. Chairman, the Ministry of Agriculture and Food is asking for a total budget of \$171,041,000 this fiscal year. Before I touch on some of the highlights of our programmes, I would like to take this opportunity to pay tribute to the 1,604 men and women who carry them out. Policies and programmes are only as good as those who put them into practice, and no minister could ask for a more diligent and

conscientious staff. This sincere assessment applies equally to those who work mainly out of Toronto and our field staff of specialists in every part of the Province of Ontario.

Agriculture grows more complex almost daily, and their workload has increased because the scope of the ministry's activities is expanding at a time when the government's war on inflation has imposed constraints on our complement of personnel as well as our spending. They have responded very admirably. We are operating now with 82 fewer people than in April, 1975. This does not mean 82 jobs have been eliminated, for in many cases, positions simply have not been filled when they became vacant. It does, however, mean that others are sharing the duties involved in addition to their former responsibilities. I think it is fitting that we salute their willingness to do so as we examine the wide variety of services they offer the agricultural community.

A vitally important and far-reaching new programme will become available as a result of the Farm Income Stabilization Act that was introduced recently. Before discussing its proposed funding, perhaps I should briefly summarize the Act's provisions.

First, the government will appoint a Crown commission to administer a permanent fund that will compensate farmers for periods of low market prices for their products, thus strengthening the province's agricultural base. Support prices will be set equal to 90 per cent of the market price for various commodities averaged over the previous five years, and an allowance will also be made for production costs. Naturally the provincial Act will not apply to products already covered under the federal farm income stabilization programme. It will also exclude dairy products, poultry and eggs because they are already covered by producer marketing boards that set prices and allot production quotas. With the exception of these cases where it would be superfluous, the plan will apply to every serious producer of every commodity in Ontario.

For the first year we are allocating \$25.6 million for this new programme and the beef-calf stabilization plan that was introduced last year. If additional funds are needed, they will be provided from the consolidated revenue fund. In succeeding years the two programmes will be funded independently until the government's contracts with beef-calf producers expire in 1980 and they come under the regulations of the overall stabilization Act. I hope to announce this

year's support price under the beef-calf programme in the very near future.

Several other measures are planned to ensure that farming remains a viable business proposition which, after all, is the best way of guaranteeing that Ontario's prime land remains in food production.

Proper field drainage can increase crop production more than any single method we know, and the amount of drainage work undertaken in the province has increased tremendously in the last five years. I am very pleased that we now feel able to increase the amount of assistance for which we originally budgeted. We are asking for \$16.8 million for our tile drainage programme. This amount is \$3.8 million more than the estimates show, compared to last year's expenditure of \$16.2 million. Farmers get 10-year loans from local municipalities for up to 75 per cent of the cost of installing drainage tiles. They pay 6 per cent interest on these loans, and the province pays a difference between the 6 per cent and the current bank rate. We estimate it will cost \$2.7 million to pay this interest subsidy on municipal debentures, compared to \$2.3 million last year.

The government also provides grants amounting to one-third of the cost of municipal drainage outlets that serve the farm drainage systems. We are asking for \$6.95 million for these grants, an increase of almost \$2.5 million over last year.

In addition to these programmes, we are for the first time budgeting \$100,000 for tile drainage loans in the unorganized territories in northern Ontario. We are also maintaining the additional funding brought in last year for agricultural development in the north. We are asking for \$455,000, which district committees may distribute among farmers as they see best.

The food-land development branch is increasing both its staff and the range of its activities on developing land-use policies and programmes. Although this branch is only two years old, it is deeply involved in virtually all planning that could have an impact on the province's better agricultural land. I want to strengthen its role in any way necessary to protect the interests of agriculture.

The Ontario Food Council will intensify its promotion of Ontario food products in Canadian and foreign markets. It is also working on several programmes to replace imported products with food grown in this province, and is stepping up its research and information programmes for consumers.



Reforms are badly needed in the federal tariff structure for agricultural products. A ministerial committee with broad representation from the Ontario Food Council, the Farm Products Marketing Board and the ministry's economics, livestock and extension branches is working with various associations in the agriculture industry to document tariff problems that this government will take up with the government of Canada.

[3:30]

To encourage and assist farmers to improve their facilities, we plan to provide capital grants totalling \$7 million. This is \$3 million less than last year's estimate. The reduction was dictated mainly by the government's policy of economic constraint, but if we find our grants programme is inadequate we will see what we can do to provide more money.

These are very difficult times for younger farmers to get their operations established, so it is essential to continue the young farmer credit programme we launched last year. Farmers between the ages of 18 and 35 may obtain provincially guaranteed, intermediate-term loans for periods of up to 10 years. The government has recommended 177 loans totalling more than \$5 million so far, and the banks and credit unions have issued more than \$2.9 million.

The ministry is currently supporting about 900 research projects, totally or in part. As we all know, today's research work yields tomorrow's technology, and the potential benefits are incalculable. For example, many of our programmes are placing special emphasis on methods of conserving energy in the various phases of agriculture. Therefore, in spite of our austerity programme, we expect our spending on research and development to increase by half a million dollars to a total of \$16.3 million during this fiscal year.

We are also asking for an increase in our educational spending from \$3.7 million to \$4 million. Last month a record of 351 young people graduated from diploma courses in agriculture supported by the ministry at the University of Guelph and the colleges of agricultural technology at Ridgetown, Kemptonville, New Liskeard and Centralia. Enrolments in these courses have increased 43 per cent in the last five years, and there is every reason to expect this trend will continue next fall.

I am especially pleased that a growing number of graduates—75 per cent in the case of one college—intend to apply their newly-acquired knowledge and skills to food produc-

tion, either on their family farms or their own. It's good to know that these potential farm leaders of tomorrow share my confidence in the bright future of agriculture in this province.

**Mr. MacDonald:** Mr. Chairman, I don't want to alarm the committee but I think I'm going to have rather lengthy introductory remarks. I hope I can keep them as short as possible, but I want to try to present a case to the minister and his staff and to the committee that the ministry today is not tackling, let alone accomplishing anything, with regard to what I believe is perhaps half of the job that should fall within their jurisdiction.

At a time when the food industry has moved into the modern world, I want to submit to you that the Ministry of Agriculture and Food in the Province of Ontario has not quite escaped from the horse and buggy age.

Let me begin by referring to the food industry. In 1963, the minister's predecessor, Bill Stewart, changed the name of the ministry from Agriculture to Agriculture and Food. Now I don't know exactly what was in Mr. Stewart's mind when he made that change. It struck me as making good sense. It seemed to me that the change acknowledged that the ministries concerned should encompass not only the interests of the five to seven per cent of the people of the Province of Ontario who produce our food, but also the 100 per cent of the people of Ontario who consume food. And I submit that brings the whole food industry within the portfolio of the Ministry of Agriculture and Food.

Let's just take a look at the food industry for a moment. It's the largest single industry in Canada. When you speak about the food industry, I think the average person out in the public usually thinks of the farmer. The fact of the matter is that farm production today represents less than 20 per cent of the food industry. The food industry is made up of not only farm production, but beyond the farm gate, transportation, refrigeration, processing, packaging, labelling, advertising, wholesaling and retailing before it gets to the consumer.

You've got a growing number of middlemen who have crowded in between the farm gate and the supermarket checkout counter and more and more of the consumer's dollar for food is being gobbled up by these middlemen. So I submit to you, and I hope I can document it by no means definitively but at least enough to indicate that there is a case today that the consumer is paying too much.

And, there's no doubt about it, in terms of his contribution, that the farmer is getting too little.

I mentioned that there's a growing number of middlemen. This brings us to grips with the first real problem: There are a growing number of them—there are literally thousands of them—but the fact is that increasingly they are controlled by a smaller and smaller group of conglomerates.

I don't know whether this ministry has reacted at all to a report that was produced in February. It is now, I think, familiarly known as the Mallen report, its author being Bruce Mallen, a professor of marketing. It was a study that was commissioned by the former Food Prices Review Board. Along with a number of other studies, this one was authorized to continue until completion after the board was wiped out last October, thus it was published in February. Beryl Plumptre repudiated it immediately. She said it was undocumented and would not have any further association of the board with it.

The interesting thing about this report is that it has 17 conclusions. Let me just read four of these conclusions to you. The first one: "The concentration level of the top four supermarket corporations in Canada's larger urban areas is very high by any standard." The second one: "Concentration grew in the 1950s, levelled off in the early and mid-sixties and has been increasing rapidly since the late 1960s." Or the 12th: There is a definite correlation between high concentration and high profits." Or the 16th: "High concentration is associated with higher prices."

I'm not going to take any more time on this but along with it let me draw to your attention what it says about the urban concentration in cities in this province. The Mallen report studied 32 urban areas across the country, and listed the 32 cities in terms of rank of the local market concentration, with the largest four corporates in each market. Interestingly enough, the city that headed all of the 32 urban areas in Canada was Thunder Bay with 98.4 per cent of its food distribution in the hands of the four large corporations. The fifth city was Sault Ste. Marie, with 86.4 per cent. The seventh city was Kingston with 82.7. The 10th city was Peterborough with 78.8 per cent, and the 13th was Sudbury with 75 per cent.

The Mallen report, after studying the theories as to economic concentration and their impact, points out that any theory concedes that if you've got 75 per cent concentration in four or fewer institutions, if it's

not a monopoly it's an oligopoly and there are consequences that flow from it. And three cities of the first 15, interestingly enough, are in the north and are in a position of very high concentration.

So he comes to a certain conclusion, to be found on page 157 of the report: "High concentration definitely has important negative effects on economic performance. It tends to generate overstoring, higher profits, less free service and less product variety; and, finally, as an outcome, higher level of prices." That's the conclusion of the Mallen report.

Beryl Plumptre dismissed it as undocumented, but interestingly enough the overall conclusion he comes to is that the consumers are paying, because of this excess capacity and excess profits, at least four per cent more for food than they should. That is precisely the figure that a Federal Trade Commission study in the United States came to in the year 1972 or 1973. For those who immediately react and say four per cent on food prices is rather small—it sounds rather minuscule—let me remind you that our food budget in the Province of Ontario is \$4.7 billion a year. Four per cent of that means that the consumers are paying more than they need to, excessively, to the extent of \$188 million a year.

The other point I want to draw to your attention, Mr. Minister, is that this is deemed to be a preliminary study. I don't think Prof. Mallen would argue that it is anything else. I want to suggest that the job of your ministry—unless you were just doing a bit of political grandstanding about the name "food" tacked on to the end of the name of your ministry—if you are going to take into account the interests of the consumers of food as well as producers of food, should be to pursue that study. I don't know whether it should be done in your economics department, or your food council or where, but it's a preliminary study that gives us some rather alarming indications of the situation within the Province of Ontario.

Let me go a step further. Years ago, this ministry, with your predecessor Bill Stewart taking a very leading role, was greatly disturbed about what was happening to the farmer and to the production level in terms of vertical integration. I want to suggest that, despite the study that was taken that seemed to think that vertical integration was not as great as it was—that may or may not be the case at the farm level in terms of the farmer being vertically integrated into feed companies, seed companies, fertilizer companies or whatever you will—that the real case for



vertical integration on a scale so massive as to almost be mind-boggling today, is to be found at the other end, vis-à-vis the consumer or, indeed, in the whole of the food industry.

Let me take one or two instances just to illustrate it. Lest you think that I am taking this all from some socialist document that is not very reliable, let me draw your attention to a reprint from the Financial Post on the Weston group of companies. It's rather worthy of some interesting study. If you're interested, you might like to read Henry Aubin, a writer in that organ of socialism in Canada known as the *Montreal Gazette*, in which he analysed the whole concentration in the food industry and reproduced it in a series of articles a year or so ago.

Let me just give you a brief glimpse, for example, of the giants that Mallen identifies in the Province of Ontario—namely, Weston-Loblaws, Argus-Dominion, Safeway and Steinberg's. Those are the four giants. Let me give you a brief glimpse into two of them.

The Weston-Loblaw one: Weston-Loblaw has about 600 companies, not only in Canada and the United States but in Africa and all across the world. It's not only a company that has Loblaws as we think of it, as grocerias which are retailing, but it literally goes right back, in many instances, to leasing or ownership of the land. Along the way, it has processing such as, for example, its own brand names like Pride of Arabia, Eight O'clock, Sovereign, Viva, Sun Fresh, Jack & Jill, Kitchen Pride, High Park and so on. These are all products that are produced by it.

It has a wholesaling company in Ontario called National Grocers. It has a wholesale company in western Canada which is Kelly Douglas and Company; W. H. Malcolm in British Columbia; on the prairies, Westfair Food and Western Groceries; in the Atlantic provinces there is Atlantic Wholesale. They have a wholesaling company, in other words, that is owned by them and processing companies that produce the food.

Finally, you get down into the retailing where you not only have the Loblaw grocerias but if you get into it further you'll discover there is a whole range of other little companies. For example, it operates 25 service branches in major centres and 38 cash and carry branches. It provides wholesale groceries and provisions to 19,000 accounts as well as to franchise and wholly-owned stores, namely, 256 Red and White Stores, 31 Super Stores, 150 Lucky Dollar Stores, 764 Maple

Leaf Stores and three OK Economy Stores. In other words they either own them or else they have service contracts. They're all part of a conglomerate.

[3:45]

When you hear Loblaws, for example, saying that they have to raise the prices because they got it from a wholesaler who had raised his price, and the wholesaler says they have to raise it because they got it from a processor who had raised his price, and so on back through the food chain, you will find that in a growing proportion of the instances the processor, the wholesaler, all of these various people, are owned by Loblaws and Weston.

So you have a situation in which the food is produced on owned or leased land by Loblaws-Weston or Weston-Loblaws, who sell it to the processor who is owned by Weston, who sells it to the wholesaler who is owned by Weston, who sell it to the retailer who is owned by Weston, and each is taking a profit along the way. There is no mystery as to why the price is right, at least for them, when you get to the end of the chain. I submit, Mr. Minister, this is part of the ministry's job, unless you're copping out wholly on the food end of the Ministry of Agriculture and Food.

Before I leave Weston-Loblaws, less than a month ago there was an interesting report in the *Globe and Mail* that said: "Weston first quarter expected to be most disappointing."

Poor Weston's had a poor first quarter. Do you know why they had a first quarter? Let me quote a paragraph:

"They will be most affected—'their disappointing results in the first quarter—'by the expense of getting Eddy'—that's the paper company in Hull—"back into full production and by the costs associated with protecting our US food retailing market share," he told the annual meeting."

What does that mean, Mr. Minister? It means that the food consumers in the Weston-Loblaw empire are going to be paying higher prices. Why? So that it can put the E. B. Eddy Co. back into production again after all the trouble in the woodlands. Or so that Weston-Loblaws can get into a price war to get a larger share of the market down in the United States. And I ask you quite bluntly, what the hell has that got to do with the food consumers in the Province of Ontario? E. B. Eddy is wholly owned and controlled by Weston-Loblaws.



Let me get on to the Argus Dominion Stores. I'd be interested to know how many of the general public—indeed, how many members of this committee—are aware of the fact that Dominion Stores—the largest group of retail stores in this country—is owned by Argus Corp., is headed by a board chairman by the name of Bud McDonald. Not a very high profile person. He spends most of his time behind the desk in an old-fashioned three-storey Georgian building in downtown Toronto. But this man happens to be at the top of an empire and he, along with his associates, believe it or not, not only controls Dominion Stores, which has more than twice as many supermarkets as any other chain in Canada, they control the second largest baking company, General Bakeries—I think the largest is Weston. They control the largest manufacturer of agricultural machinery, Massey-Ferguson; they control Hollinger Mines and related companies, the largest holders of iron ore; they control the largest diversified manufacturer in paper packaging and construction materials, namely Domtar; and they control, through Standard Broadcasting Corp. Ltd., two of Canada's largest audience radio stations, namely CJAD and CFRB in Toronto.

When you listen to Gordon Sinclair saying the price is right for meat, and plugging Dominion in his inimitable fashion, it's all part of the family. CFRB is controlled by the same conglomerate. He is just peddling another branch of the family's wares.

So here you have a corporation which not only controls the machinery which is used to grow food, much of the processing to process the food, the company that produces the packaging to package the food, through to the largest group of retailing chain stores in the country and finally a very significant sector of the advertising industry. Now, if that's free enterprise, you can have it—or you can try to defend it; you've got it. In the process—

Mr. Williams: That's great.

Mr. MacDonald: That's great?

Mr. Williams: Keeps this country moving; a monopoly all the way.

Mr. MacDonald: Yes?

Mr. Williams: You just named four or five giants who are competing against each other. You don't see the UAW—

Mr. MacDonald: If you had only been here on time you would have heard a brief explanation of the consequences of that con-

centration. You weren't, so perhaps you can read it.

Mr. Williams: I am well aware of it. It is in all their corporate reports. I mean it's public knowledge.

Mr. MacDonald: No, the consequences in terms of a study of what it does to the consumer. Okay, I want to just reiterate briefly that I think that's an area of study that this ministry should be going in to. That's half of the job that they haven't even got around to considering yet, as far as I have ever learned.

Let me go on to the next. Here's an interesting document. I have never heard anybody on the government side ever pay any reference to this. It's research paper No. 14, produced for the special committee on farm income on wholesaling and retailing of food in Ontario. It came out in 1969 or 1970. It happens to have been written by J. H. Weijs and William Jansen, who you perhaps won't be surprised to learn is now the deputy Minister of Agriculture in Manitoba. This document does sort of focus on the wholesaling and the retailing of food in the Province of Ontario. Let me give you a bit of the flavour of it:

Competition among supermarkets has taken on a form that essentially differs from price competition.

On the next page:

For large-scale advertising to work, the buyer must be only partially informed about the nature of what he is buying and the product must be complex enough so that the precise evaluation is not possible. These conditions are perfectly met by grocery retailing.

In other words, the purpose of advertising in grocery retailing is not to enlighten the consumer but to keep him confused so that he can only get a part of the picture. Incidentally that is not only a quote in this document but it's quoted in turn from Canadian Grocer, which happens to be right in the field. Let me continue:

It is commonly accepted that the price of an item bears some definite relationship to its cost as it would if any standard markup were employed. This is no longer valid for items sold in the supermarkets. If they were to operate with set price lists, consumers would have the opportunity of making comparisons over extended periods of time and of discovering the stores which, for their particular needs, were most economical. The incentive is to en-

gage in price cutting in order to attract customers.

Loss-leaders; I think even your own food council has deplored a predatory pricing loss-leaders in which the loss is usually forced back in some way upon the producer. A final quote, they go on to state that what happens in pricing in supermarkets is an orchestration of pricing. You have a loss-leader to lure the customer into the store and they lose on that. Then they maximize their prices by raising them on all the other products.

The best price mix for a store would be a minimum of strategic items at lower prices to attract the customers and a maximum of higher prices to increase the profits.

This, Mr. Minister, was a study financed by your government as part of the farm incomes study. It is out of date. It is a gold mine. It is a most illuminating glimpse of what goes on.

It suggests that advertising is deceptive. It is not designed to inform, it is designed to confuse the consumer. I just wonder how that squares with the law that your colleague, the Minister of Consumer and Commercial Relations (Mr. Handleman), has on the book about advertising, not only here but in Ottawa.

Just to underline the fact that this is your responsibility, I want to go back to a speech that was given by John Clement, then Minister of Consumer and Commercial Relations. Before I take about five minutes to give you a bit of the flavour of this speech, just let me tell you why I am bringing it to your attention.

I took part in the estimates of Mr. Handleman of Consumer and Commercial Relations about three weeks ago and I raised this whole issue with him. He told me that everything that was spelled out here as part of a government programme then presumably the responsibility of the Minister of Consumer and Commercial Relations—I hope this doesn't shock you—has now been passed over to the Minister of Agriculture and Food. It's logical if you're going to do anything about food. There was a conference that he, with Bill Stewart along, not too happily, convened at the Royal York Hotel in September, 1973, when, you will recall, there was a great public furore about food prices and everybody pretended that they were concerned—including this government. This is what he said at that time:

The question then is what role the Province of Ontario can play in stabilizing

food prices and assuring that sound nutrition is within everybody's reach. Our role will take time to develop but I think we have a real contribution to make.

The second purpose I hope this conference will fulfil is the necessary shaping and definition of a positive provincial role in the resolution of food pricing problems.

Do you get it, Mr. Minister? Then it goes on to say "We need a business practices Act which will clarify acceptable and unacceptable trade practices."

I'll concede that that minister brought in the Business Practices Act. It applies not only to food stores but to other stores. I don't know how effective it is. One of the interesting things that he spelled out as necessary was a general statutory prohibition against unfair and deceptive practices. He also said he was in favour of giving the courts authority to rule on whether or not a consumer transaction is unconscionable. He also said:

We believe that the Act should provide the courts with the power to rule on cases brought by either a consumer or my ministry and impose restraining orders, restitution to those who have suffered loss, and other penalties.

I listen to the CBC and Global, to people such as the consumer critics, as I'm sure we're all familiar with. They are constantly pointing to deceptive practices, to false advertising—the product wasn't there after it was advertised and there was no end of excuses—to double labelling; to false labelling. Nothing ever happens. They do very good work but there's no follow-through. I wonder how much of that, for example, is in violation of what the minister has been talking about. This, presumably, is now part of the new Business Practices Act.

Let me quote you another paragraph:

My ministry has also begun its own study into food-price trends in Ontario. Our objective is to uncover geographical differences in prices and to compare the rates of price increase for different products. We intend to ask the food industry for explanations of findings that appear to be unreasonable or difficult to understand. The principle behind this approach is that we believe that the public will accept most food price increases that are properly substantiated and proved to be necessary.

Then he goes on to lament:

We've been studying the financial returns for a large number of companies in the food production and retail industry to see how efficient and profitable they are.

He goes on to say:

We must be prepared to recognize that it is possible for industry to exceed what is justifiable and fair. One conclusion that we have reached is the degree of financial disclosure varies greatly from company to company. In some cases it is really not adequate to meet the new interest in food profits. One important question remains. After establishing industry standards for evaluating profitability, and evaluating companies against that standard, what happens if an industry or several companies have clearly excessive profits?

He then goes on to spell out a number of things they were considering they should do.

The point I want to ask the minister about, after reminding him his colleague, Mr. Handleman, says that all this, because it deals with food, has been handed over to his ministry—I have a suspicion he hasn't heard about that yet. Certainly you haven't done anything on it. I wonder if you've heard about it.

[4:00]

What is being done? Was that a piece of political grandstanding in 1973 when there was such a furore about public prices? Now either the public has become immune to the high price of food or else you don't think the grandstanding is necessary any more and you have, in effect, cut out of this field. I'd be curious to what the minister's answer to that question is. Let me say as far as I'm concerned I think it is part of the Ministry of Agriculture and Food and should have been since 1963. When we get to discussing the food council I want to discuss a few specifics of what I think can and should be done.

Before I leave this, let me show you what a sort of a vacuum it is; it's like punching a pillow. Many times we have deplored the fact that this government has seen fit to institute price-fixing on milk at the producers' level through to the processor. But you would never do anything about fixing the price beyond that, so every time the producer gets a higher price—incidentally always judged in accordance with the formula, which reflects his cost of production—the processor has the right to piggyback an increase to himself with no explanation to its justification at all.

One of the other studies done by the Food Prices Review Board and came out in De-

cember of 1975, when the board actually passed out of existence, was with regard to the milk industry. They point out that Toronto supermarket profit on milk averaging 5.9 cents a quart from 1972 to 1974 and eight cents a quart at the end of 1974, is three cents a quart higher than other cities. They quote, for example, Archie MacDonald, who is an economist with the Ontario Milk Marketing Board: "It's been obvious for some people for some time that the Toronto supermarket margins on milk are too high."

Mr. MacDonald said he's always been a proponent of the free market instead of regulated prices "but I must say I've had to change my mind with regard to milk. The supermarket takes the benefit of low prices and doesn't pass them on to the consumer." So the headline is that the highest store profits are in Toronto. And what was the suggestion of the Food Prices Review Board in this report—which in this instance, I think was accepted by Beryl Plumptre? The board asked the Ontario government to roll back supermarket milk prices by three cents a quart.

Have you ever responded to that? Do you have any intention to respond to it? If not, why not? The case is clear-cut and documented. Even Beryl Plumptre thinks it's documented and, God, she's about as myopic a type as ever walked the face of this earth in terms of not seeing the things she doesn't want to see.

Let me move to a final area in this, the part of the job the government isn't going. I suppose that's a bit unfair because in this instance the government did get into the picture.

In January, 1975, some churches approached this government, namely the Anglican, Lutheran, Presbyterian, Roman Catholic and United Church. They presented a brief to the Ontario government with respect to international development, food aid and assistance. Their specific request was that Ontario should match dollar for dollar the money raised voluntarily by the churches to assist in developing programmes in the Third World. The government has turned this request down; the Premier (Mr. Davis) announced it about a couple of weeks or so ago in the House. It has done so primarily on the basis of a personal survey of conditions in the Third World that was made by a man that we're all very familiar with, Dick Hilliard, a former deputy Minister of Agriculture and Food.

Hilliard's report explored two options. First, that of leaving international aid wholly to the federal government and second that of



joining with the governments of British Columbia, Alberta and Saskatchewan in a co-ordinated expansion of Canada's overall international aid programme. Ironically, in my view Dick Hilliard made a very impressive case for provincial involvement. It was much more impressive, quite frankly, than his case for leaving it all to the federal government. Then suddenly, to my stunned surprise as I read the report, he opts for not getting into the field so that you can avoid any unnecessary duplication with what the federal government is doing.

Mr. Minister, I want to say to you as firmly as I can that I and the New Democratic Party don't support that conclusion. I agree there are many things in Dick Hilliard's report that are flags, warnings: You want to avoid duplication; you want to make certain it is co-ordinated with other programmes; you want to have appropriate mechanisms for accountability if there are any public funds in it.

I want to suggest to you on two grounds—one humanitarian and the second one whole, hard self-interest—that Ontario should be getting into this programme and responding to the churches instead of rebuffing them. The first ground is that it is a very small amount of money. Nine million dollars is raised by church members. This is the sort of modern equivalent of the old foreign missionary, in my view, and incredibly more valuable and useful than the old missionary programmes where the missionaries were sent out to proselytize the poor people who were starving to death in many instances.

They raised \$9 million and they came and asked you whether or not you would assist them as one of the non-governmental organizations—the NGOs—to match dollar for dollar, in effect to beef up their programmes to make them that much more effective. May I remind you that \$9 million represents 1/14th of one per cent of Ontario's budget at the present time. I suggest to you that that's not too much money.

The second point that I want to draw to your attention is that Ontario is already involved in international aid and development programmes. Some of them are within this ministry; some of them aren't. You have the Operation School Supplies in the Caribbean; you have Operation Eyeglasses in Antigua and St. Kitts; you have construction of a school library in St. Vincent; you have a cattle bank—the Cattlemen's Bank—in Cuba and you have two food and agricultural organizations in Malaysia. The minister himself reminded us in the House last fall that the government had funded an \$800,000

shipment of white beans from Asian and African countries. Just two weeks ago the minister indicated another grant of \$95,000 for a further shipment of 355 tons of white beans to countries badly in need of protein.

In other words, the point I am making is that it isn't a question of Ontario starting to share in international aid and development programmes, but rather that it should do it on a more systematic basis. And I suggest to you that a very admirable proposal is this dollar for dollar matching with the voluntarily raised funds in these six major churches across the Province of Ontario.

I think there are very good reasons why you should do it by backing up the NGOs, in the instance of the churches, rather than getting into it ourselves. If we get into it, obviously we're going to be getting into a field that is normally regarded to be primarily a federal responsibility. But everybody agrees that the non-governmental organizations are doing a magnificent job in the Third World. Their projects are designed to meet specific needs in a community. They are carried out in close co-operation both with the national government and with the local community authorities in each instance. They are co-ordinated with the overall programme of CIDA, the Canadian International Development Agency. They're subject to periodic audit, even by the federal government, when shared financing is involved.

In short, they're responsible bodies which represent a close working relationship between Canadians who contribute voluntarily here in Canada and their churches which have developed a more acceptable, modern equivalent to the old foreign missionary field work. Our matching dollar for dollar would simply beef up their programme and make it that much more effective.

Let me turn to why I want to suggest to you—quite apart from the humanitarian thing and all of the technocratic and administrative difficulties that Dick Hilliard, in my view, placed too much emphasis on—we should move into it out of hard-nosed self-interest. The first you may think is airy-fairy, but I for one am convinced that if the western countries aren't willing to work closely with and co-operate with the Third World in terms of developing living standards that will make it tolerable for them, we might as well face the fact that somewhere down the line you're going to have an inadequate base for continued peace in this world. In short, it's all very well to go around talking about being your brother's keeper in this global village. It's a very appropriate text for a sermon on Sunday, but it's an even more

appropriate theme for a food, aid and development programme by governments. Otherwise, the preaching on Sunday about it is just going to add up to so much hypocrisy. Indeed, it's beginning to be regarded as such throughout the Third World.

But my interest is even more hard-nosed. As the minister has conceded, we have a surplus, for example in this instance, of white beans. There's a desperate need for protein foods in many of the Asian and African countries. For whatever reason that motivated you, you've moved this past year and you have spent about \$900,000 in moving some hundreds or indeed thousands of tons of white beans, paid for by the government of Ontario. By coincidence, they happen to remove a surplus of a product in the Province of Ontario.

When and if this government ever gets into an effective farm income insurance programme that encourages farmers to produce food rather than to let this God-given gift of a resource that has a capacity to produce food that is desperately needed by people, many of whom are dying of hunger or malnutrition, we're going to face surpluses, perhaps even more frequently in the future than in the past. God knows we've even faced them fairly frequently in the past. It seems to me that there is validity in having a systematic kind of programme through which you can take surpluses off the domestic market and use them in conjunction with a co-ordinated food aid and development programme under the umbrella of CIDA at the federal level, backing up the churches who are raising \$9 million in voluntary money.

It seems to me that this could be such a magnificent co-operative effort that also serves as an outlet for getting rid of food surpluses that are going to foul up our domestic market and make it difficult to maintain a decent price level that will meet the costs of production for the farmer.

Let me not take too much more time on it. I've indicated that as far as the New Democratic Party is concerned, we're staunchly in support of that programme. I'd be curious to know whether the minister can tell me as to whether the government's decision is an irrevocable decision.

What I just talked about, Mr. Minister, are all new aspects of what I think should be included in the Ministry of Agriculture and Food. If I may make a very provocative statement: When, after the next election, the NDP government is established in the Province of Ontario it will become part of the Ontario industry.

Mr. Lane: Stop dreaming.

Mr. MacDonald: That's what Weir thought in Manitoba until an election took place about five or six years ago and then he passed into oblivion.

Mr. Evans: What happened in British Columbia?

Mr. MacDonald: You just wait until the next election and you'll find out what happens.

Interjections.

Mr. Chairman: Order, please

Mr. MacDonald: You obviously haven't heard the results in Vancouver East where Dave Barrett got more than 70 per cent of the votes and Socred 25 and the Liberal and Conservative and two other independents shared five per cent of the vote. How does that grab you?

Mr. Williams: Eighty per cent are UAW.

Mr. Lane: They'll be some time finding—No, I won't say it.

Hon. W. Newman: You're not going to be provocative today?

Mr. Lane: No, not yet.

Mr. MacDonald: I want to turn now to three traditional issues and open them up. The first one is the question of land and agricultural land use. The minister gets almost apoplectic whenever we say 26 acres an hour. His face gets red and the figures pour out in absolute confusion.

Hon. W. Newman: Yes, don't they? They pour out pretty factually.

Mr. MacDonald: As a matter of fact, I have a copy of the speech he gave to the Canadian Daily Newspaper Publishers Association on April 21 dispelling some myths. At one point, he launched into a great explanation of how the public wasn't being accurately informed and he said: "The NDP can't tell you what's happened to all this land that has gone out" and so on, "but if they're going to talk about 26 acres of farmland disappearing every hour, I say they damned well should be able to tell you."

[4:15]

You know, Mr. Minister, the interesting thing is that you are browbeating the NDP for 26 acres an hour. Why don't you acknowledge where that figure first came from

into Ontario politics? Direct your attack there, because you haven't got the courage to attack the major farm organization openly. You'll just do it behind the scenes. Twenty-six acres an hour loss of farm land between 1966 and 1971 was included in the brief of the Ontario Federation of Agriculture to this government in 1974. That's where it came from, so instead of playing politics and—

**Hon. W. Newman:** No, it didn't. Now let's be honest. It didn't come from their brief, it came from DBS figures.

**Mr. MacDonald:** Okay, it came from DBS figures and they acknowledge that it came from DBS figures. We went back and checked the DBS figures and we found them to be accurate. But I said that the people who introduced the 26 acres an hour figure into Ontario politics were from the OFA. If you want to have your little sport I don't mind you attacking us. I'm always glad to be attacked when I'm espousing the cause of the leading farm organization in the province. But let's deal with the reality of it. You are a graduate of OAC. You're an agrologist. I don't know whether that means you are a statesman on your election materials or not, but you're an agrologist.

**Hon. W. Newman:** I'm just a farmer under my belt.

**Mr. MacDonald:** —because you graduated from OAC. Your peers, the fellow agrologists, including such people as Vern Spencer, the head of your foodlands development branch, if it isn't too much of an embarrassment to drag him into this political exchange, wrote the brief that was submitted last fall to the government from the Ontario Institute of Agrologists. They reiterated the figure. Does that shock you? You haven't even read that brief well enough to know that the committee prepared the brief at the back. People like Don Middleton, who knows the Federation of Agriculture well and is now on your Land Compensation Board, and so on. Look, Mr. Minister, I don't want to get into too lengthy an argument on this question of figures because quite frankly it's a futile argument. We might go on from now until doomsday arguing whose figures are right. The thing that disturbs me is that you now come up with a set of figures that is pouring out of the computer like Niagara—the assessment figures—and you concede that to compare them with the figures which the OFA, the NDP and others have been using is not right because it's apples and oranges. But then you proceed to compare them. You use

those figures to demolish the 26 acres. You pay Roger Schwass \$4,000 to write you a draft of the speech that finally got reproduced. I don't know what you're groaning about. You know you paid him \$4,000. It was said in the House that you paid him \$4,000.

**Hon. W. Newman:** Not only for that.

**Mr. MacDonald:** Okay. We were asked how much was paid for this draft, a copy of which I have got here out of its brown paper envelope. In it he suggested that the land was coming back as 7.8 acres. By the time you had burned the midnight oil, and I'm quoting you and your colleagues, to produce this document which is the revision of Roger Schwass, you had it down to 6.6. I wonder if you'd worked for a few more weeks, you mightn't have got the land that is coming back down to zero. Because you carved out 1.2 acres every hour from Roger Schwass' first draft to your final production of this document.

You see, Mr. Minister, I just want to make this basic case. The people who are your peers in the agrologists' association said 26 acres. Indeed David Hoffman, the director of the centre of resource development, who produced this document, which was in turn made available to the public by the rural development branch of the Ontario Ministry of Agriculture and Food, said, "Land is being converted from agriculture to other uses so quickly that keeping an accurate figure of the land in agriculture is almost an impossible task." I would agree with him. But, I also agree with him when, for example, he is quoted as saying in the *Globe and Mail* that his statement is completely accurate, the 26 acres an hour and that with few exceptions farm land is disappearing from most Ontario counties at a rate that he finds alarming. He said he is convinced the provincial government will not act to reverse the trend. That's an interesting reflection. He also says that research that others have conducted have convinced him that it's not only that the farm land is disappearing, but it will be impossible to recover. Then, of course, we have the Ontario Federation of Agriculture, which brought the brief to you. And Farm and Country was an organization you thought you had in your pocket, so you could do anything with it in years gone past.

**Hon. W. Newman:** No.

**Mr. MacDonald:** Oh yes, you did; don't try to kid us.



**Hon. W. Newman:** I never try to influence any news media—and I hope you wouldn't either.

**Mr. MacDonald:** Here is a quote:

Leaders of the Ontario Federation of Agriculture emerged deeply discouraged from their recent meeting with the provincial cabinet.

Firmly rebuffed by the government on the key issue of land-use planning, federation president Gordon Hill says farmers may soon quit asking for the preservation of farmland.

"It was a typical response from the government, only this year we've got it in writing," Hill told a press conference at Queen's Park. "I see a continued flow of farm land out of agriculture. The government refuses to give agriculture a high priority. We are missing the opportunity to produce the food that Ontario needs."

And in its brief this year, the federation presented you with solid evidence of what has happened in the Province of Ontario.

In 1961 and 1962, with products like beef, pork, poultry, eggs, dairy products and vegetables, we had enough to feed our own population and still export food. By 1973 to 1974, there were only two products we produced in surplus, namely eggs and vegetables. With beef, pork, poultry, dairy products, potatoes and wheat flour, we're producing only a portion of what we need in the Province of Ontario. The percentage will be even smaller by 1985. The case that the federation made was that we are producing less and less of our own food needs, and they were deploring it.

Now, before I leave the land thing, I have another report. I don't know whether the minister has seen this article. This is going to be another blast that he'll have to contend with. Get some new figures.

The Ottawa papers on Saturday indicated that three Ottawa-Carleton major urban growth areas have been identified by the federal Department of Agriculture as examples of the misuse of prime agricultural land. Here is another quote:

Canada is jeopardizing its ability to combat world hunger by letting its best farm land be gobbled up by urban development. This is a conclusion of an official of Agriculture Canada, based on a soon to be published land survey.

Dr. Julian Dumanski of the department's Soil Research Institute also says encroachment of cities on prime agricultural land

will inevitably lead to higher and higher food prices.

Dr. Dumanski and a team of researchers spent two years studying soil grades in land use in Gloucester and Nepean townships. They identified both as culprits in the nation-wide tendency to make food production second fiddle to urban development.

They point out that 51 per cent of the land in those two counties is of low quality and could have been used for urban development if you had a different kind of planning, or if your foodlands development branch or some other equivalent of it had been involved.

Mr. Minister, this government is backing off on what it originally committed itself to do. You bowed because you are a victim of your own doctrinaire approach to free enterprise. And you get vocal support on that from the member for Oriole (Mr. Williams), who reiterates it all the time at the drop of a hat.

But I have here, for example, a speech that Premier Davis gave on March 9, 1973, when he was off on a cabinet junket through-out Grey county. He was speaking in Owen Sound to newspapermen, and this is what he said:

Ontario is moving towards tough controls on southern Ontario land that will prevent farmers from using their property for anything but agricultural purposes. Farmers are demanding that areas must be designated for the preservation of agricultural industry to ensure food supplies. I think increasingly the government is prepared to recognize not only the desirability of this, but I think we're reaching further and we're closer to it. The controls would not cover all of Ontario as we would like it, but they must be firm and have validity for many years to come.

In short, Mr. Minister, what Premier Davis was saying three years ago, and what the Ontario Institute of Agrologists are saying today, is that we should have legislation passed to preserve prime agricultural land. In short, you reverse the process of prime agricultural land being a category into which you put land and let it sit there until somebody, when and if he wants, can use it for another purpose and take it out of agriculture.

You shatter that old psychology. You say agricultural land is a precious resource that is going to be preserved and that you're going to indicate the guidelines for its preservation. Indeed, you say, you're going to pass a statute saying that it will be preserved.

But then you hasten to add that you will bring in the necessary mechanism which will provide an opportunity for the consideration of any application for an exemption that is legitimate. You are right in that it should be considered in the first instance at the local level instead of copping out and leaving the whole thing to the local level. It should be considered at the local level by the local planning authorities, by councils at the local level—at the county level or the regional government level—and finally up to you. I must say that in view of your unwillingness to bring in the necessary statute, I shudder to think that you're going to be the guardian of agricultural land, but it should come to you and, if necessary, to a land tribunal.

This isn't a heretical socialist idea from British Columbia. This was recommended by the COLUC committee, which was made up of six ministries of your government plus the six regional governments around here. It was also a recommendation—and this is a thing that fascinates me—of the Ontario Association of Rural Municipalities, which is the provincial organization speaking for the elected representatives of the people in the rural areas.

I wish, Mr. Minister, that you would not dismiss all of this, in what is your favourite pejorative term at the moment, as a freeze; it's an Act to preserve agricultural land, if that is what you want to do, instead of continuing the old process, which didn't preserve agricultural land. To preserve agricultural land and then to establish a mechanism for any examination of an application for an exemption, is not a freeze; that is an affirmation of your desire to preserve it—not in a straitjacket fashion, but by providing a mechanism for any legitimate exemptions. That's what all of your peers among the agrologists are asking for. That's what the Ontario rural municipalities, through their provincial organization, are asking for. That's what the New Democratic Party is asking for.

Let me proceed to the next item, if I might, Mr. Minister. I want to say a brief word—and I'm not going to take any great length of time on it—with reference to the farm income stabilization plan. I want to say a brief word because, although we're going to have an opportunity to debate it in full tomorrow, the minister went back to it in his introductory remarks.

What has happened in this instance is that the government has gone back on what everybody in this province assumed it was going to bring forward; that is a farm in-

come insurance plan on a contributory basis. That is what you were promising farmers. That is what you brought in, albeit in my view somewhat inadequately, in the cow-calf plan. Nowhere did you ever suggest you were going to sort of welsh on that agreement, but you did just that when you brought in the bill last week. I want to suggest to you that it is a betrayal of the agricultural community in this province. If you think I'm exaggerating, just let me quote from page 11 of this farm land strategy thing, where it is talking about the number of things that should be done; one of them is this:

A second major policy concerns provincial agricultural development strategy and provides for (a) a provincial commodity income stabilization plan providing farmers with a contributory income assurance plan covering major commodities.

[4:30]

That's what you said one month ago and that's what you've walked out on. You're now going to let Ottawa cover them, as you say, inadequately—so you're excluding that. You're not going to cover the products that are under the marketing boards, or the milk industry Act in the Province of Ontario. You're going to cover just what is left, that's all.

Indeed, you've even double-crossed your parliamentary assistant. Speaking in Stoney Creek on March 31—two months ago—Mr. Eaton too was talking to the agrologists. You farmers seem to hobnob with agrologists rather frequently. Mr. Eaton said the plan would be voluntary and contributory on the part of farmers.

In other words, you've walked away from farm income insurance. I'm not going to take the time to delineate this afternoon—we can do that tomorrow—what is now the obvious difference between a stop-loss, inadequate, farm stabilization plan and a contributory insurance plan to cover costs of production plus a fair return on labour, management and investment. There's all the difference in the world. It's all the difference between treating farmers as second-class citizens and treating them as first-class citizens.

Finally, just a brief word—and the more appropriate place to get into this in detail is when we get into the specific estimates—on the question of the whole milk situation. I would agree that coping with the supply management problem in the milk industry at the moment, and the cutbacks in quotas,

is a very perplexing problem. But the thing that makes me a little disturbed periodically is the tendency for the government to say, "Oh, well, the milk commission is looking after it"; or "The milk marketing board is looking after it"; or "This is Ottawa's responsibility."

Everybody shared in the creation of this situation, including this provincial government. Your IMPIP programme, for example; albeit on the assessment that if it was not wrong to begin with, perhaps you were wrong in continuing it as long as you did because you helped to create a surplus. Now you're saying to people who were asked to come back into the industry and to increase milk production that they're going to have their quotas, and therefore their income, cut when their loans and their mortgages are not going to be cut equivalently. That is an unfair proposition.

When one of the Liberal members, the hon. member for Grey (Mr. McKessock), asked about it the other day you gave us a recap of all that you had done or were going to do. But most of it involved meetings that you were going to have with the milk commission and the marketing boards and so on next week. I suggest that you should be sitting down with them in terms of specific things that are going to meet this quota problem. One of them was the proposal that has been put to you at least twice in the House now—if you're not getting the quota back so that it can be redistributed to those who need it, because the incentive at three cents phased down isn't adequate to bring it in, then some other alternative has to be found. It's all very well to say that increasing it to five cents may not be the best way to do it, but time is fleeting and some solution has got to be found more quickly.

My plea to you, sir, is that you should not slough this off and say it is the responsibility of others. I suggest that you have a major share in the responsibility for it.

Mr. Chairman, my apologies for going on as long as I have, but I'm covering half of the things that this ministry has done and half of the things that they've left undone. What they've left undone, I suggest, is very important because it takes food and consumers into account. What they have done, in too many instances, they've done inadequately—I would deem that to be equally important—for the farmers engaged in the production of food. I would hope that the minister might get a better balance into

his approach to it in the future than the ministry has in the past.

Mr. Riddell: I'm not going to be lengthy in my opening statement because we do have six Liberal members present with us today who wish to participate in these estimates. It is obvious which party has the interest of the farmers at heart compared to the one NDP member who is willing to participate in these particular estimates.

Mr. MacDonald: Let's have some substance in your comments. I have got eight members on my committee and they are all out busy and they will be here too. In fact, one of them—

Mr. Ruston: Asphalt farmers.

Mr. MacDonald: —has just gone out to Huron-Bruce to speak to some farmers.

Mr. Gaunt: He might as well stay here.

Mr. MacDonald: They want a little bit of light, Murray.

Mr. Riddell: I didn't intend to be provocative at all when I made those statements, Mr. Chairman.

Mr. Ruston: Just stating the facts.

Mr. Riddell: I think the NDP member took an opportunity to sell some of his NDP philosophies in discussing these estimates but I don't underestimate the member whatsoever. The former Minister of Agriculture and Food, Bill Stewart, will admit that the agriculture critic for the NDP did his homework. I am prepared to admit that. He has had a lot of research done on what he had to say today, there is no question about that. You can't underestimate their research. And, inasmuch as the former Minister of Agriculture and Food gave his respects and paid tribute to the NDP critic, he certainly didn't agree with his philosophies and neither do I.

We followed the convention, with interest, over the weekend. We find the NDP want to take over ownership of the oil companies. We find they want to take over ownership and control of the land in Ontario—and in Canada, for that matter. Now he's talking about, I suppose, taking over ownership of the food chains.

All I can say is, if the NDP ever get into power, if we think that we have seen high food prices up till now, we haven't seen anything yet. But I am not too concerned that the NDP will ever take over in Ontario because Ontario has seen what has happened in British Columbia, they have seen what has



happened in Great Britain and they are sure not going to fall into that trap.

**Mr. MacDonald:** Also what has happened in Saskatchewan, and Manitoba.

**Mr. Riddell:** In recent years, the general public and urban politicians have become increasingly concerned about rising food prices and people in non-farming communities are taking a very real interest in food production marketing practices. It is generally realized, however, that farmers in Ontario are not responsible for the tremendous increases in the price of food—that although higher prices are being received for agricultural products, the cost of inputs for farmers have also increased at an alarming rate.

People are asking themselves just what can be done to control food prices and at the same time, maintain the viable agricultural industry which is so essential. Modern farming involves a very large amount of capital investment and, in fact, it has been estimated that Ontario farm capital today is almost 50 per cent greater, in constant dollar terms, than in 1961.

Because this total capital investment is distributed among fewer farms, investment per farm has increased by something like 95 per cent, and outstanding debts on commercial farms have approximately doubled since 1961. Consequently, farmers have much higher overheads, including regular mortgage and loan repayments.

Of course, the key to all successful farming is the availability and quality of arable land and Ontario has approximately 10 per cent of Canada's arable land, with some 13 million acres of class 1, 2 and 3 land in southern Ontario. As a matter of interest, in the entire world, there are less than eight billion acres of land which are potentially suitable for agriculture. According to the experts, for the first time in history there is little or no surplus of arable land, in view of the fact that the world's population is rising at a rate which indicates that it will approximately double in 30 years. This means that agricultural productivity must be doubled over the same period if our present nutritional standards are to be maintained. Dr. Norman E. Borlaug, an agronomist who received the Nobel Peace Prize for his contribution to the green revolution, has stated:

Although the contributions of the green revolution to increased food production are considerable and highly significant, they are nonetheless modest in comparison with the magnitude of present global needs. For generations farmers have had a selfish interest in preserving land; with-

out it, they would go out of business. The time has now come when urban and suburban people everywhere have a selfish interest in preserving land. Without it, they would face serious food shortages and their children or their children's children would face a very real possibility of starvation. Governments must give top priority to establishing a land reserve for future generations by prohibiting premature and poorly planned development. We simply cannot afford to sit idly by doing nothing while our prime lands continue to be consumed for other than agricultural purposes.

It is a fact of life in economics that agriculture is limited to the use of prime agricultural land. Today's farmer cannot use marginal land economically. Once our best agricultural land is paved over, it cannot be reclaimed as farm land.

In this dispute about the number of acres of land that has gone out of production, as quoted by the NDP agricultural critic, and the amount of land that's coming back into production, one certainly does question the validity of these figures. One does not know whether the 26 acres per hour have simply gone out of production as abandoned farms in some cases or whether it is land that cannot be restored.

I am inclined to think that it is land that has gone out of production because farmers have simply abandoned the land to go to work in other industry. I think that that land is still there to be brought back into production. But before that can happen, of course, the farmer has to be assured of an adequate return to his investment, management, labour and what not. We will likely have more to say about that when—

**Mr. MacDonald:** That's a Tory position.

**Mr. Riddell:** —we discuss the farm stabilization bill tomorrow. Land is our most valuable non-renewable commodity. We must husband our resources. They are not inexhaustible. Property owners have rights and they must be protected. However, our rights should be related to a type of stewardship which is in the interests of the community at large both now and in the future.

Needless to say, farmers have to be given very special consideration in connection with their land resources and the manner in which they may dispose of farm acres. A high percentage of the large capital investment involved in modern farming is the farm land itself. While we must at all times be concerned with ensuring that arable land remains productive, farmers must have the

right to realize and profit by their investment in the land in just the same way as any other investor is permitted to profit by an investment.

I was interested in reading the reports of the NDP convention this past weekend where they are talking about a freeze on land. But they are not talking about compensating the farmer. It would seem to me that they are quite prepared to deprive the farmer of a pension which he has been trying to build up over the years. I can tell you that I am sick and tired of hearing tell of the farmers having their lands zoned for nothing but agricultural purposes with no talk of compensation for the down zoning of that land. I have yet to hear the NDP come out with any thought of compensating the farmers for this loss in pension if their land is frozen the way that they would like to do it.

This province has plenty of room for houses, commerce, urban industry, recreation and agriculture. However, the people who will live here, say 50 years from now, will be happier, healthier and more prosperous if we give more thought than we have been doing in the past to the question of which land should be used for which purposes. As long ago as August, 1972, in his status report on the Toronto-centred region, the Treasurer (Mr. McKeough) said:

Land prices are escalating so rapidly that an increasing number of people are facing great difficulty in financing a home of their own or, alternatively, are having to live long distances away from their place of work and commute for several hours a day.

However, the government of which he is a member has made a practice in its so-called planning of merely identifying land which it is to be using, making that land more vulnerable to land speculators whose risks have been reduced to a minimum. All they have to do is hold on to the land and wait their opportunity when planning permission is given.

The Hellyer task force on housing and urban development in 1969 said, in relation to land speculation:

There are several areas where the price of land has jumped up by 100 per cent in a relatively short space of time and with no apparent change in its physical appearance. The owners of the land reap gigantic financial benefits, not from improving or working it, but merely by allowing it to lie fallow or in admitted under-use

while the efforts of the community around it make such land an ever-increasing valuable asset.

Here again, I come back to this 26 acres per hour. I still say that this land is sitting there, and that this land could be brought back into production if the government ever decides to move in that direction.

#### [4:45]

Far from attempting to prevent the destruction of our prime agricultural land, this government has contributed to the problem. Land has been assembled for industrial parks, super highways, etc. And, hydro lines have slashed through valuable farmland. The Central Ontario Lakeshore Urban Complex report in December, 1974, stated: "Both provincial policies and provincially-approved municipal official plans reflect an urban bias exhibiting little concern for rural and resource priorities." Last year, the provincial Treasurer and the provincial chief planner for Ontario were reported in the press as stating that the government was prepared to establish policy guidelines on the subject of agricultural land, but added. "We do not want anything with great teeth in it."

There can be little doubt that farmland acreage is decreasing rapidly. One major concern is the good arable land on the perimeters of the major cities, such as Toronto, Ottawa, London and Windsor.

A recent study carried out for Environment Canada, called "Land Use Dynamics on the Toronto Urban Fringe," which examined Markham township, Pickering township, Uxbridge township, the borough of Scarborough and Whitchurch-Stouffville township, comprising 170,000 acres of Metropolitan Toronto's urban fringe, indicated the following findings. Between 1961 and 1971, land use changed in approximately 30,000 acres or 17 percent of the total study area. Cropland, rough pasture and orchards experienced a net loss in acreage, while land for urban-oriented uses such as industry, extraction, outdoor recreation and associated urban uses, showed equally dramatic increases. Cropland sustained the largest decrease; 8,364 acres were lost between 1961 and 1971.

The summary contained in the report stated that the permanence and irreversibility of conversion from non-urban to urban uses is unmistakable. The land conversion process is irreversible. Land market activities, land-use changes and agricultural responses confirm the opinion that full-time commercial agriculture has a short-term future at best in the study area. In dealing with that strategy



for Ontario farm land, which the NDP agriculture critic referred to, I might just make a few comments on it.

The report makes it clear that the government does not intend to take responsibility for designing a land-use plan. In other words, it is going to be left to the municipalities. Plans to preserve agricultural land, however, should be protected by provincial legislation. Otherwise, municipalities will have the entire responsibility to resist demands for changes on agricultural land. There will be pressure to increase tax revenues. The provincial plan is both unfair and unrealistic. The report is both vague and contradictory. On the one hand, it states that this government is committed to preserve the better agricultural land in all parts of Ontario. Two sentences later it states, "The marketplace should be left to operate as much as possible."

On the one hand, the amount of land used for urban growth should be constrained by zoning. On the other hand, the government intends to create a free-enterprise rural environment. This rhetoric about free enterprise is mainly to cover up continued government inaction. If there are any controls, other than free market determination, then these controls will be by the municipality and not by Queen's Park.

The disturbing part of the document is the time spent to cover up or explain away the problem of disappearing farm land. In farming, land and capital do not truly count, but people do. The insinuation being that as Ontario farmers have intensified livestock production and knowhow on their lands, it is not necessary to worry about the soil. Acres of soils in classes 4, 5 and 6, along with organic soils, are totalled together with classes 1 to 3, without mentioning the limitations of the lower classes, the enormous costs of improving them and the doubtful status of our organic soils by the year 2000. It indicates that urban needs for land are very minor, completely ignoring any urban impact other than buildings, highways and utilities. It suggests that the three per cent loss of improved farm land in the top southwestern counties in the five-year period 1966-1971 is quite an acceptable loss. It states that crop land increased at the rate of 6.6 and seven acres per hour in the 1971-1974 period, but admits only in an afterthought that total improved farm land has increased by about half of one per cent—that is, there was even less improved land on farms in 1974 than in 1971. Also, this land did not come back to farming. Rather, most of it was switched from pasture and hay to cultivated crops.

Some land owned by developers and speculators temporarily returned to crops but as soon as development is practical, this land will be gone for agriculture. The report further states that 15 million extra acres lay waiting to be converted to agriculture. It does not point out, however, that this land is mostly under forest. All of it must be drained and it lies almost entirely in areas where weather conditions are less favourable for growing crops.

Some 11 million acres are mostly class 4 land which is only about 50 per cent as productive as class 1 land, even if it had equal climate, which it does not have. The Federation of Agriculture has estimated that it would probably cost \$12 billion to remove the forest and drain this land. The report praises the urbanites for the useful function of keeping food land available for future use and does not mention that reassembly of such holdings into farm-sized units will, in the majority of instances, be prohibitive.

The lack of acknowledgement that farm land disappearance is a serious problem and the distortions to cover this problem leave serious doubt over whether the government intends to preserve agricultural land. When Darcy McKeough tabled his 11 reports on provincial planning on April 8, he stated, and I quote:

To the extent possible we shall, in the future as we have in the past, protect the integrity of the use of fertile land for food production.

This is a formula of doom. The fact is that the government in the past has never attempted to protect food land and it does not seem likely to change. Year after year the Federation of Agriculture has appealed to the government to take two prudent steps to strengthen our farming: To protect prime farm land from encroachment by urban sprawl and unplanned growth; and institute a scheme to stabilize farm incomes from the boom or bust agricultural cycle. On both accounts, the province has come forth with superficial plans that don't even begin to meet the problems.

In last year's Throne Speech, the government indicated that action would be taken to ensure that farmers at least would be able to recover their production costs when we were told that measures would be introduced to provide Ontario farmers with a reasonable assurance of the profitable continuing operation of their vital enterprise. This assurance by the government was clearly of very little value because in last year's budget only \$20 million was allocated for income protection for the Ontario farmer. This amount was not



even sufficient to cover losses to the cow-calf producers and the Ministry of Agriculture and Food came back in March asking for supplementary funds of \$4 million to cover this cow-calf programme.

Again this year the Throne Speech made special reference to the problems of the Ontario farmer. We were told that provincial legislation will be introduced to establish a voluntary farm income stabilization plan. However, there was no provision for this income stabilization plan in the budget presented by the Treasurer on April 6, although it has been estimated that such a plan would cost something in the region of \$100 million. Of course, what we've been faced with now is a programme which will cost the government something in the neighbourhood of \$6 million to \$7 million. And they call that a farm income stabilization programme.

Just recently in the Legislature, the Minister of Agriculture and Food indicated that estimates would include an item of \$25.6 million for a farm income stabilization plan. However, he subsequently admitted that last year the total payout for the cow-calf programme was in the region of \$22 million. Obviously, this is yet another example of the government's strange bookkeeping. From the Minister of Agriculture and Food's comments at that time, it would appear that once again, if and when supplementary estimates are required to cover the income stabilization programme and the cow-calf programme, this government will make the usual excuse that Ottawa's commitment was not fulfilled or trot out some nonsense about "circumstances beyond our control," or, "market fluctuations," or, "an unexpectedly enthusiastic response from the farm community to the government's initiatives."

Largely due to the inadequacies of successive Conservative governments, Ontario is slowly losing its place as one of the foremost agricultural provinces of Canada. The government's agricultural policies and programmes have failed to maintain our productivity in agriculture in spite of the best efforts of farmers. This is, to a great extent, because the government's so-called policies have consisted of reacting to situations. No attempt has been made to set long-term objectives and strategies. There are no consistent operating principles guiding subsequent decisions. Are Ontario farmers to gear up production for commercial foreign markets, or is production to the level of domestic provincial consumption the goal? Is the preservation of farm land for future needs to be made a priority of the present government? Are the

interests of farmers in this connection to be clearly designated and protected? The government is apparently not prepared to answer any of these questions.

In the Throne Speech this year the government stated that it was the intention to increase productivity of agricultural land. We had hoped that this statement implied an increase in the amount of money allocated for drainage grants to improve farm land. As you know, effective farm drainage can increase crop production by as much as 20 per cent depending on the soil and prevailing weather conditions. It's rather interesting to note the remarks by the Hon. William Newman, Minister of Agriculture and Food, in the debate on the Speech from the Throne, where he states:

The importance of proper farm drainage can hardly be over-emphasized. It can increase production of some crops by as much as two-thirds, depending on the soil and the year.

So what does the minister do? He cuts back his original budget to \$10 million, then he steps it back up to about \$13 million for tile drain loans.

I suppose the only reason he was able to do that was that he gave the commitment that he would raise the interest rates from four to six per cent. I'm just assuming now—I don't know that as a fact. Not that the farmers are complaining about having to pay six per cent interest; the fact is that the \$13 million fell far short of the commitments that were made by the various municipalities. So the minister, in his wisdom, has increased that another \$3.8 million. This still falls far short of the commitments which have been made. As I understand it, some of the tile instalments that were made last year are being paid on the moneys made available this year.

So that just gives you some indication of how far behind the municipalities are and the difficulties that the farmers are in who have gone ahead and installed tile drains on the strength of the approval of the municipalities that this money would be forthcoming.

However, only about half of the demand for low-interest tile drainage loans will be met in this current year. The Minister of Agriculture and Food expects applications for about \$26 million in drainage loans and has indicated that only \$13 million will be available. Last year the ministry spent \$16 million on loans, while only \$13 million had been allocated in the budget. The \$3 million difference was covered by a supplementary allotment.

The Tile Drainage Act encourages farmers to install drains by offering 6 per cent loans over a 10-year period and up to 75 per cent of the projected costs. Incidentally, interest has increased this year by 50 per cent compared with last year's four per cent interest rates. But again, I maintain that the farmers are not complaining about this because they realize that it's a pretty good investment.

Many municipalities will not have any money to spend on new tile drainage projects this year because the government has imposed limits on the money available for this purpose from the provincial Treasury without having given any prior warning that this would happen. Municipalities which have outstanding drainage loans from the province for last year will simply not have funds available for new drainage projects because any money received will have to be applied to the outstanding loans. It is my understanding that it will take in the neighbourhood of \$26 million for the municipalities to be able to meet their commitments for tile drainage loan purposes.

[5:00]

In the first 11 months of 1975, total milk marketed by the Ontario Milk Marketing Board was 7.7 per cent greater than the milk marketed in the comparable period of 1974.

Although aware that the province was overproducing milk far in excess of the demand by the summer of 1975, the government chose to ignore the fact and has been fostering greater industrial milk production through the Industrial Milk Production Incentive Programme. I brought this to the minister's attention and I was interested, Mr. Minister, in a letter that you wrote to the editor of the Huron Expositor condemning Jack Riddell for, I suppose, misleading the public and all this kind of nonsense. You know full well that I'm right. You know full well that you people created an incentive for the dairy producers to produce milk. Now you're quite prepared to see them suffer and you people were partially responsible for getting them into the position they are today. Let's face the facts.

**Hon. W. Newman:** I just set the record straight.

**Mr. Riddell:** You sure did. You didn't convince anybody, let alone the dairy producers.

Some 3,000 producers took advantage of this programme to expand their herds, which resulted in the overproduction, cuts in quotas and stiff penalties, thus depriving

producers of the very income necessary to repay the loans. Many producers holding these loans are faced with the cost of the debt and are only allowed the full price for shipping 85 per cent of their quota, the same penalty all shippers in Ontario must pay to keep production in line with demand. The only relief given is token. On April 30, 1976, the Minister of Agriculture and Food announced that the government would allow producers to defer payment of interest and/or principle on their IMPIP loans for four months.

Now, what I can't understand and what the milk marketing board can't understand, and I'm not going to name any names here, is why you wouldn't defer payments for a period of one year in order to give the milk producers a chance to overcome the present difficulties. I have a feeling that within a year's time, we could be into a supply shortage situation.

I'm not saying that the provincial government is all at fault for what has taken place. There is no question that the federal government cut in quotas by 18 per cent across Canada affects us to the tune of 15 per cent. I would agree with the minister here in Ontario that he might have asked for a lesser cut. In other words, instead of the 18 per cent, he might have asked for six per cent and I would be prepared to—

**Hon. W. Newman:** I did.

**Mr. Riddell:** Right, and I would be prepared to support you on that. The fact of the matter is that the Minister of Agriculture for Ottawa hasn't decided to make any change. But that doesn't mean to say that we should sit still and be prepared to sell our farmers down the drain. There is no reason in the world why the suggestion made in the House of the government paying an additional two cents for these quotas—in other words, raising it to five cents—to endeavour to get more quota on the market so that these quotas can be put into the hands of those young people, or new producers who are in most need of extra market-sharing quota shouldn't be followed. There is no reason in the world why you can't defer payments on the IMPIP loan for a period of one year. In a year's time, I think we're going to see quite a change in the entire milk situation. Farmers might better have been given the option of having this payment forgiven instead of the final one which is another suggestion.

Commitments in the area of agriculture is the situation with respect to grape growers converting from *Lubrusca* to *Vinifera*, which is a European wine type vine. Last September the Premier announced this great conversion plan providing for loans of up to \$1,500 an acre to cover a three-year period and conversion of some 3,000 acres. However, the programme is still not in operation some eight months later and the Minister of Agriculture and Food has stated that the time limit has been extended because the government has had a problem obtaining appropriate interest rates.

The best planting season for the vines is from early April to mid-May and the government's delaying tactics have placed the programme in jeopardy for 1976. The minister, when questioned on this matter in the House recently, replied that anyone who wished to go ahead with conversion would be permitted to do so. In other words, you're asking the farmers to place trust in this government, and boy, I think you're asking for a lot based on what has gone on in the past.

Does he intend the growers should go ahead with conversion in the hope that they will qualify for assistance under the government's loan programme? Even he must realize that this would involve considerable financial risk.

Supposedly, the application forms and explanatory leaflets were expected to be available at local agricultural offices and the grape board office as of May 15. Even if this were so, there will be further delays before growers can expect to receive written authorization to borrow capital from a bank and proceed with the grape vine conversion. Completed application forms have to be submitted to Toronto to a review committee, which must be satisfied that the right soil is used along with the correct new vine. Growers are understandably reluctant to take the risk of removing old vines before approval is received from the review committee. However, the delay in implementing the loan programme means that the best planting season will be over before growers can be sure they will qualify for assistance.

The provincial government, without tendering—and here's a really serious issue as far as I'm concerned—has entered into an agreement with the DeJonge Group to operate the Essex Packers facility at Guelph. The contention was that the government signed with DeJonge because there were no other proposals involving a total package deal. All that has really happened is that the receiver

will operate the Hamilton plant of the company for six months, which they have done, at which time the assets will be sold unless Essex Packers can refinance, which is highly unlikely. In other words, bankruptcy has been postponed for six months, nothing more and nothing less.

The government would have obtained a far better deal if it had dealt separately with the Guelph plant, and I fail to understand why the minister didn't do that. I attended what was known at that time as the Ontario Beef Improvement Association annual convention, and I distinctly heard the minister get up and say not to accept the first offer. You knew full well that that offer was DeJonge's 15 cents on the dollar, and you were drawing that to the farmer's attention. I think you knew at the time that there were other offers made on that Guelph plant—offers which were prepared to pay the farmers off almost 100 cents on the dollar—but for some reason the government chose to enter into an agreement with DeJonge because they were the only ones, allegedly, who submitted a tender whereby they were going to keep the Hamilton plant operating.

Look what's happened to the Hamilton plant today. In other words, who's pulled the wool over the government's eyes? None other than the DeJonge Bros. And you fellows have fallen right into it.

The agreement guarantees the employees nothing beyond what they would have had if Essex had gone bankrupt in the first place. The government sold the farmers down the river in negotiating 15 cents on the dollar for unsecured creditors. Moreover, the major shareholders in the takeover company have, in the recent past, been convicted in the courts of short-weighting farmers. I'm not saying that once you commit a crime you should be punished for it for the rest of time, but I maintain that there was something shaky about this entire deal right from the time that the government entered into an agreement with Essex Packers, whose financial standing at that time left a little to be desired.

I would dearly like to have the staff pursue this matter because I say there's something wrong with what's gone on in the past in connection with this Essex Packers deal and the government's involvement in it. Believe me, it is being pursued, as you well know, by some of the farmers who lost \$24,000 and who are being put out of business. I would like to see something—well, I suppose it's too late now. I just can't see



that these farmers are going to get the money that's owing to them. But, I think that the government really made a blunder in its dealing with the plant in Guelph. The major shareholders in the takeover company have, in the recent past, been convicted in the courts. Well, I indicated that. I don't say that this should be held against them indefinitely. Once again the government has been negligent of the public interest, particularly the interest of our farmers.

These are just a few examples of the manner in which this government has neglected the agricultural industry. There is absolutely no excuse for this kind of thing. A progressive agricultural policy is absolutely vital to the well-being of our farming community and to every citizen of this province, because of the importance of maintaining the quality and quantity of food supplies at reasonable prices.

I don't want to get nasty because I don't believe in it, but I've just got to say this. Unfortunately, the present Minister of Agriculture and Food is proving totally inadequate and there seems little prospect of any improvement in his performance. Perhaps indicative of the impact he has made on people at Queen's Park is the fact that although he has been Minister of Agriculture and Food since last October, a senior Treasury official recently admitted that he didn't even know the name of the Minister of Agriculture and Food. It would seem that his name, like his performance, is eminently forgettable.

**Mr. Williams:** Jack, that is nasty.

**Mr. Riddell:** I'll stop there, Mr. Minister. I am glad to see the member for York South has recruited two more NDP members to sit in and take part in these estimates, for I would like to think that there is some interest on the part of the NDP in the agricultural industry in Ontario.

**Mr. MacDonald:** We have the quality; we don't have to have the quantity.

**Mr. Makarchuk:** I would note that there are about seven Tory members present, Jack; more than you have Liberals.

**Hon. W. Newman:** Mr. Chairman, I would just like to make a few comments—by the way, on the last comment, the senior official who did not know me was a new official of the Ministry of Treasury, Economics and Intergovernmental Affairs, and I can assure you he will never forget me; but it was a very interesting situation.

Anyway, starting out with the comments of the NDP critic, I would just like to let him know that by and large in this government, of which I am a member, we believe in the free-enterprise system. I just thought I would let you know that in case you didn't know.

**Mr. MacDonald:** Did John Clement outline that programme in 1973?

**Hon. W. Newman:** I just want to let you know that we believe in the free-enterprise system.

**Mr. MacDonald:** Oh, I knew that.

**Hon. W. Newman:** I think most of the farmers do too.

**Mr. Makarchuk:** Free enterprise? You don't call it private enterprise, do you? You've got the farmers by the privates; that's what it really means.

**Hon. W. Newman:** That sort of remark I will let pass.

The Mallen report made a lot of assumptions, which you admitted today, but concentration of retail power doesn't necessarily mean higher food prices—four per cent, so you say. It can be said with just as much emphasis that food prices have been forced down by competition among the large chains and there has been a great deal of competition. Sometimes the food prices have been almost too low for those in the total industry to get a proper return on their investment. If you look at the financial statements of various companies, you will see that they have not had a proper return. Also with reference to the food chains, I think they have streamlined distribution and competition and have cut out many of the middlemen you were talking about today. At the same time, they have also increased quality in their stores.

The Food Prices Review Board did not find that the retailers were villains ripping off the consumer. In fact, we have good food at the lowest prices in the world, next to the United States. We have some of the lowest food prices in the world, here in the Province of Ontario. About 19 per cent of our food dollar in the Province of Ontario goes for food; while a few years ago it was 25 per cent. So maybe you are not paying enough, as far as the farmer is concerned, to ensure a fair return to him.

**Mr. MacDonald:** Of course we are not paying enough to the farmer; that's the whole point.

**Hon. W. Newman:** Well, that is not what you were saying; you were indicating that prices are too high.

**Mr. MacDonald:** I was not, sir. Mr. Chairman, I said that what is happening in the food industry means that the farmers are getting too little and the consumer is paying too much. The minister ignores the role of the middlemen who represent 80 per cent of the food industry.

**Hon. W. Newman:** Competition is a great thing, and I think that whatever the farmers of the Province of Ontario get, they certainly deserve.

You also talked about the chains and conglomerates and vertical integration. I don't know whether I'd call it vertical integration; I'd call it streamlining their prices and competition. It certainly keeps them honest. I think it's a job for the Anti-Inflation Board to check on excess profits, if such is the case.

The food chain store price war has really never stopped, and a check by the federal Food Prices Review Board said they were not making excess profits; in fact, many of them were losing money. Loblaw's has been losing money for five years and A and P has been in trouble. The pressure they put on the supply industry, including the farmers, is tremendous; that does concern me, because they are constantly keeping prices down. If we don't meet their prices, they think nothing of going elsewhere for their products. That's what we are seeing happen today in many of our chain stores, and that does concern me greatly.

[5:15]

I could talk about the General Agreement on Tariffs and Trade. I could talk about commodities coming into our markets today. I could talk about beef coming in from offshore. I could talk about canned goods coming in from other countries around the world which we cannot compete with; some of them are not as good a quality. I just think that those are areas that I am very much concerned about, as far as the Ontario farmer is concerned and I'm very concerned, to the point that we are leading a delegation to Ottawa to see if we can't do something about it. Because all the programmes we have to preserve agricultural land—programmes we are moving forward on—can be of little avail to us if we find that we have no protection at all for our agriculture industry, and this does concern me.

You mentioned false or misleading advertising. This, I think, if it's false or misleading advertising, comes under the Minister of

Consumer and Commercial Relations, which I'm sure you are quite aware of.

We could talk about competition. You talked about prices. You know we do have a study on the price of milk to the consumer, which will be out some time later this summer. We could talk about—I think you mentioned one of the other companies, Argus, which controls, I think you said Dominion Stores, was it not?

**Mr. MacDonald:** Right.

**Hon. W. Newman:** But I still believe that the competition, in a free-enterprise system, is keeping a lot of prices down in our stores.

You talked about the NGO, non-government organizations—and nobody would agree with you more that they do an excellent job—and a report that was commissioned by the former minister, by Dick Hilliard, for the government of Ontario, on aid to the Third World. He came to the conclusion in his report, and I know you've read his report, that the work should be done through the Canadian International Development Agency, which I believe has a budget of close to \$100 million this year, if I remember correctly. That's very close to the target they are shooting for. I'd remind you that 40 per cent of that income that goes to the feds comes from Ontario.

We said we would move in on a special basis from time to time, as we have, as you have quoted. We have moved beans out to various parts of the world where there has been a need for it. We work through the international organizations where an extreme problem arises; we have helped just recently and are prepared to do our fair share in that way.

Technology is a big factor. I just spent, this afternoon, with the High Commissioner from Bangladesh and they have the food production capability there. What they need is the technology. I look at many of the Third World countries and I say in all honesty that many of them could be much more self-sufficient with the technology that's there if it was put into use by those countries. Handouts don't always solve the problem.

**Mr. MacDonald:** Except that if they are starving the handout might be handy.

**Hon. W. Newman:** That's quite true. Then I look at some of these countries. I looked at one of the countries today that's got a fair bit of oil; I'm not going to mention the name of the country. They are asking for food aid. I look at other countries and it kind of frightens me a bit when I see them spending hundreds of millions of dollars on developing

atomic bombs. I often wonder where their priorities lie.

We, as a province, have been prepared to offer technology to these countries in the past so they could become much more self-sufficient in food, which I think is very important. The decision of the government at that time was not to put up the funding, the actual money, but to give aid where it was necessary and technical advice wherever we can be helpful. Certainly I can use an example of our work through CIDA, the international organization. Following the recent earthquake in Guatemala, we were in touch with them within a matter of days to find out if they needed food aid. They said no, they did not need food aid at that point in time.

We talk about the disappearance of land at 26 acres an hour and what happened in 1966 and 1971. I'd like to clarify one point. From 1971 to 1974 land came back into production at the rate of 6.6 acres per hour, and I believe the figure was 7.8 or 7.6 in 1974. I think that was the actual figure that I finally used on that one.

We can talk about the amount of land available for agriculture in the Province of Ontario. I think this is very important. At the present time we have approximately 20 million acres of good agricultural land in this province. We have the possibility of developing in the future another 12 million acres with proper drainage and consideration down the line—

**Mr. MacDonald:** At a cost of billions.

**Hon. W. Newman:** At a cost, yes, at a cost to drain. I don't know where you get the billions figure. Approximately, taking a rough estimate just for comparative purposes, I think it's very important. Here in the Province of Ontario the agricultural land that's now covered by housing or within the boundaries of cities in the whole of the province is about one million acres. Now to go down the road to the year 2000, the amount of land that will be necessary for the services to corridors and to the development of land to bring in approximately four million more people to the Province of Ontario is a total amount of land of about 357,000 acres. That's if all that development is in prime agricultural land. It will not be because of various programmes and policies that we are developing and have developed. These 357,000 or more acres would cover our population needs to well after the year 2,000.

We have the industrial parks programme, which is under the Ministry of Industry and

Tourism, to try and divert industry away from the big cities into the poor land areas.

**An hon. member:** Like North Pickering.

**Hon. W. Newman:** All right. Let's talk about North Pickering. There are 2,000 acres more land back in production in North Pickering than there were when the government first moved in to start to buy land. It's a perfect example of where the government has moved in and put more land back into agricultural production than was there before they bought it.

**Mr. Godfrey:** You weren't here when the Minister of Housing (Mr. Rhodes) pointed out that his plans are to cover it with houses. You can't keep land in agricultural production if you're going to build houses on it.

**Hon. W. Newman:** I'm talking about agricultural land and the amount of green belt that has been set up—about 2,000 more acres today in production than when we started to buy land in the North Pickering development.

**Mr. Godfrey:** Agreed, if you are going to put 200,000 people into that area you can't tell me that's agricultural, Mr. Minister.

**Hon. W. Newman:** Who said there was going to be 200,000?

**Mr. Godfrey:** Your Minister of Housing said that.

**Hon. W. Newman:** No, he did not say that. In the report that's out it calls for a population of somewhere between 70,000 and 90,000 people.

**Mr. Makarchuk:** Are you going to keep that land in agriculture?

**Hon. W. Newman:** Keep the land in agriculture? I am talking about other than the 2,000 acres that weren't there before. There is still a lot of land being farmed in that area right now, a tremendous amount; pretty well all the available farm land. We have had a man in the field there for a long time; that land is being farmed in North Pickering the same as at any other sites in which the government is involved.

These are just a few of the figures, you know. We can talk about the Dominion Bureau of Statistics figures; we can talk about your 26-acres-an-hour, and if you take up to 1966 and 1971 census figures and multiply them out and figure them all down to the hour you will come up with 26-acres-per-hour, but that is land that has been



lying idle; a lot of it has been lying idle. I am saying this, that the figures we are coming up with now are individual assessment figures, on individual properties in this province, carried out by the Ministry of Revenue. This is on a computer punchout basis and includes land on which each person gets an assessment notice. If you get an assessment notice on your farm or on your home you are going to check it over pretty carefully to make sure it's accurate, so I think these figures that are coming out now are very accurate.

**Mr. MacDonald:** Just a minute, if I may Mr. Chairman; is it not the procedure that much land that is designated agriculture is so designated by the people because there's a possibility they can get lower taxes on it? It's not really agricultural land, in many instances it is not productive at all. You seize those figures to say we have all the land we need.

**Hon. W. Newman:** But you see one thing you are forgetting is that a lot of land is lying idle. It may be bought by somebody at this point in time and it may be lying idle but that land is there, as a potential land bank for the future. And as we get into more meaningful zoning—through our food lands development branch which comments on all official plans in the Province of Ontario now—we have had long and lengthy discussions with the Niagara region about pulling in urban boundaries and suggesting they go to poorer agriculture land to build on, and so on.

There has been the Lambton-Sarnia study, the Simcoe-Georgian study. There have been meaningful negotiations with some of the regional municipalities with our food lands development branch, laying out for them meaningful zoning and protection of agricultural land in those areas.

I am meeting with one of the regional municipalities, I believe it is this week to discuss the problems in their area in preserving agricultural land and I say this; I would say that gradually we are getting meaningful input on the zoning of agricultural land throughout this province and on top of that our food lands branch is constantly working with municipalities, counties, towns, cities and regions throughout this province and I must say we are getting excellent co-operation from them on the preservation of agricultural land.

**Mr. MacDonald:** Why would the elected officials in these rural areas, who have at-

tempted to cope with the pressure that has taken farm land out of farming in the past and not succeeded, why would they, in their brief to you through the Rural Ontario Municipal Association, ask for an Act to preserve agricultural land and then to provide the machinery for considering exemptions?

**Hon. W. Newman:** May I just say I am glad you asked that question, because I really am. We met with the association—the Hon. John Rhodes and myself—and we had some discussion about what they asked for. I am going to read a letter that's going out to Mr. Rogers, the secretary treasurer. It's page 5 on their recommendation No. 2. This recommendation suggested that legislation be used to protect land designated as agricultural and that a land tribunal be appointed to arbitrate on exceptions to the legislation.

As I understand from our meeting you mean by legislation that local municipalities would maintain control on agricultural land through official plans and zoning by-laws and that this did not refer to provincial legislation.

As I mentioned, we are very much opposed to the idea of provincial legislation to freeze agricultural land at this time. With regard to a land tribunal the Ontario Municipal Board already provides a function very much like that suggested for the tribunal.

So, after our discussions with the Rural Ontario Municipal Association—and this was only with their executive—their feeling was that it should be done at the local level. So, I just want to correct one thing that you have brought up. Though the brief did say that, we had a meeting with them about two weeks ago. I think if you check with the municipality—

**Mr. MacDonald:** I would love to hear the debate when they have an annual meeting—

**Hon. W. Newman:** That's fine.

**Mr. MacDonald:** —when the executive have to face the floor.

**Hon. W. Newman:** This is the meeting we had with the executive. The Minister of Housing will back up what I have said here, okay?

**Mr. Riddell:** What's your own personal feeling? Do you think there should be provincial guidelines under which these municipalities can operate?

**Hon. W. Newman:** Exactly, and that's why we have been meeting with these municipalities and why our food lands development branch is expanding as rapidly as possible with the restraints. They spent days out in my own region, for instance, discussing the best agricultural land and the best way to preserve it in their official plan. We have had excellent co-operation with the Simcoe-Georgian Bay study, where it is outlined. Some of the municipalities have done an excellent job of putting aside the best agricultural land for farming purposes. I think we are getting excellent co-operation.

Lambton-Sarnia have a 20-year programme laid out to allow for the expansion and growth that they need there while still preserving the agricultural lands. I think in your own area they are doing this right now, but I am not—

**Mr. Riddell:** We support this. We feel that there should be provincial guidelines but the municipalities should be able to exercise autonomy and work within these guidelines.

**Hon. W. Newman:** That's right, and this is exactly what we are saying.

**Mr. Riddell:** What I am saying is that we are against this freezing of land.

**Hon. W. Newman:** You are against the freezing of land. I am glad to hear that because I am not sure if that's the official position of your party now.

**Mr. Lane:** It sure is a socialist attitude there.

**Mr. MacDonald:** Could I have a copy of that letter, Mr. Minister?

**Hon. W. Newman:** No, it hasn't gone out and I will give you one once I have sent it out to him, I think, in fairness to them. I have just one paragraph.

**Mr. MacDonald:** Is this to all municipalities?

**Hon. W. Newman:** No, this is directed to Mr. Rogers, the secretary-treasurer of the Rural Ontario Municipal Association c/o Convention Mezzanine, Royal York Hotel, 100 Front St., Toronto. I do not want to give you a copy of this letter until it goes out because it is dated June 18. But after we had met with them we said we would confirm.

**Mr. MacDonald:** Thank God. Sometimes we can't get answers from you for months

and now you are getting letters out before the date.

**Hon. W. Newman:** No, no, we met with them two to three weeks ago and this is just a reply to their brief in writing. They have asked for a follow-through in writing.

**Mr. MacDonald:** Why June 18? Is that after the House lifts?

**Hon. W. Newman:** We met with them about two weeks ago and I asked our people in the food lands branch to comment in writing on all the submissions made by them as a result of our discussions. One of our people was at the meeting and one of the Minister of Housing's people was at the meeting when we met with the executive of the Rural Ontario Municipal Association. This is the understanding of our agreement at the meeting—both mine and Mr. Rhodes'—and we are sending a letter out to them to confirm it.

**Mr. MacDonald:** On the 18th, which is three or four days from now? Why did you date the letter a week ahead if you had it prepared last week?

**Hon. W. Newman:** We didn't. I haven't even had a chance to sign the letter. It hasn't reached my office yet if you want to know the truth. I sent up for it when you mentioned it today and I got copies of the letter brought down—

**Mr. Makarchuk:** What you are reading is a reasonable facsimile, in other words.

**Hon. W. Newman:** Yes, it is the way we understood the meeting and certainly Mr. Rhodes will concur with it.

**Mr. MacDonald:** I am just puzzled as to why you got the letter—

**Mr. Riddell:** You are not averse to sending us a copy of that letter?

**Hon. W. Newman:** No, no.

**Mr. Riddell:** I would appreciate receiving one.

**Hon. W. Newman:** I feel that they should have one first though, in all fairness to them. After all, they met with us and I only quoted from one paragraph.

**Mr. Riddell:** A very trivial matter which we shouldn't be wasting time on, okay.

**Hon. W. Newman:** Oh, I think the Rural Ontario Municipal Association is a very fine—

Interjection.

**Hon. W. Newman:** You were talking about Mr. Roger Schwass. He did a great deal of work prior to the strategy being written and the ground work. He has done a lot of work on the Lambton-Sarnia study. He has done a lot of work on the Simcoe-Georgian Bay study. He is a very knowledgeable man, and I think you would agree, in the agricultural field.

**Mr. Gaunt:** A Bruce county boy too.

**Hon. W. Newman:** Is he a Bruce county boy? Well, I didn't know that.

You mentioned Mr. Hoffman. Don't forget that later on in the article you didn't quote, he agreed with my figures, okay? You know, we talk about the food land—

**Mr. MacDonald:** What figures? He agreed with your figures on what?

**Hon. W. Newman:** How much land is going back into production.

**Mr. MacDonald:** He also said he agreed—

**Hon. W. Newman:** He agreed with my figures. He agreed in the article. Anyway, I think we should go on.

**Mr. MacDonald:** He also said that he didn't think government would do anything about it and that it's still going out.

**Hon. W. Newman:** Well—

**Mr. Makarchuk:** Yours is the only jurisdiction in the world where they are still making land.

**Hon. W. Newman:** Making which?

**Mr. Markarchuk:** Land.

**Hon. W. Newman:** I'll just ignore that.

[5:30]

**Mr. Riddell:** Regarding your figure of land coming back into production, is this land that has been in pasture that has been broken up and put into crop production?

**Hon. W. Newman:** Some of it and some of it has been lying idle. But to give you a good example, right within a mile of where I live there have been, I would say, at least 1,500 to 2,000 acres of land that were just lying there going to waste and that have gone back into production in the last two years.

**Mr. Riddell:** I don't think it's fair to say that by taking pasture, which obviously has been used for pasturing cattle, and turning it

into crop land, that the land is coming back into production. It has been producing. It has been producing pasture for livestock.

**Hon. W. Newman:** It's just really been sitting there resting because it didn't pay the farmer to produce on it, right?

**Mr. Riddell:** It was still called farm land.

**Hon. W. Newman:** Sure, it is available for farm production.

**Mr. Godfrey:** Mr. Minister, can I finish my remarks? Mr. Chairman, on the comments—

**Mr. Chairman:** Just let the minister finish.

**Hon. W. Newman:** You know, we talk about producing food in the Province of Ontario. We talk about the people producing food in this province. We're running at about 65 per cent of capacity at this point in time. We all saw what happened in the dairy business. But I'll come to that in a minute. We know what can happen when the price is right for the farmer, and what he will produce, can produce and did produce. I can talk about our massive pork export and the tremendous job they've done in the pork industry. I just say this about the agricultural community—as far as I'm concerned, they can produce a great deal more in the province, providing they can get a decent price for their commodity.

But, I also want to say—and I'm not going to get into stabilization because we'll be discussing that all day tomorrow—that if you want price incentives then you are going to lead to production controls down the line and if you're going to use production controls absolutely you'll kill the incentive of the agricultural community in this province. I happen to think the farmers in this province are free thinkers and want to do their own thing as much as possible, with as little government interference as possible.

**Mr. MacDonald:** That's an old bit of rhetoric.

**Hon. W. Newman:** It may be a bit of rhetoric, but I think it's a bit of a fact too, which you might as well say. You talk about the milk situation. We entered our IMPIP programme in June, 1975. I'll tell you that the reason we had a 15 per cent cutback in the Province of Ontario instead of 18 per cent like the rest of the country was because we produced milk in Ontario at the request of Ottawa. We only reached 97 per cent of the quota allocated to us by Ottawa, so we did not over-produce milk in 1975 according to the formula worked out by the Canadian Dairy



Commission in Ottawa. We produced only 97 per cent, and as a result of that our farmers did not take a series of cutbacks.

Yes, we have extended the interest and/or principal to those who want it on the IMPIP programmes to Sept. 1, and we also cut back the 20 per cent margin of the forgivable portion to dovetail into that for those farmers. I'm aware that this was an immediate reaction to give them breathing space until we could get this matter sorted out. Mr. Whelan made some announcement the other night that he's going to look at the market share quota allocation and Farm Credit Corp. extension. Because we suggested to him that there could be an overreaction. I did send a Telex to him months ago suggesting that the 18 per cent cutback was too heavy. Also, it should be reduced because we could get into troubles with adverse weather conditions. I also suggested that some of the milk powder should be treated and given back to the farmers on a pro-rata basis because they are paying a levy to remove that powdered milk from the field.

I think I've covered most of your—

**Mr. Riddell:** What do you mean by a Farm Credit Corp. extension? Deferring payments on the credit you mean?

**Hon. W. Newman:** Right. That's what Whelan said when he announced this on Friday. But he said these are possible programmes. He didn't say that they would be.

Coming back to the Liberal critic's comments here, we talked about loss of land use, and I covered that when we were talking about this with the member for York South. A lot of idle land has gone back into production as we well know. I talked about, and you talked about, the preservation of agricultural land. I touched on that in the various areas and there are other areas where we are having discussions with the municipalities and regions. We talked about the stabilization bill. Yes, there is \$25.6 million in the estimates this year. Because of the legislation we plan to bring forward tomorrow I indicated that the balance would be paid out of the consolidated revenue fund. I also said, and I made it very clear, that in 1975 it would probably have been close to \$6 million or \$7 million. Prices were not that bad in 1975; in a bad year those figures could be a great deal higher. I gave a round figure for 1975 and we don't know what it will be in 1976. We don't know what the future holds for some of the commodities that will be covered under our bill. I think this is very important. It could be considerably higher.

**Mr. MacDonald:** What percentage of agricultural production is your bill going to cover?

**Hon. W. Newman:** It's 27.8 per cent.

**Mr. MacDonald:** Surely that's a bit of a phoney figure. I understand that 27 per cent includes culled cows and bulls and a lot of things for which there would be no programme likely, plus other items that are going to be pulled out or have been pulled out and designated, at least for this year, by the federal government.

**Hon. W. Newman:** Yes, if you're talking about greenhouse tomatoes and cucumbers.

**Mr. MacDonald:** It's 12 per cent to 15 per cent perhaps extended under circumstances.

**Hon. W. Newman:** There is a total of 27.8 per cent of agricultural commodities that are not covered now either by supply management or price setting or quota allocation or under Bill C-50. I'm covering the rest of the commodities that are possible in the Province of Ontario. I'm not saying they'll all come under it. One year they may, another year they may not, but there is 27.8 per cent or 27.2 per cent, I've forgotten which.

**Mr. Riddell:** You know full well too that any commodity can be designated under the federal legislation and I think you know full well that they're taking a look right now at apples, carrots, pears and plums.

**Hon. W. Newman:** Yes, I agree. I've said this before time and time again that stabilization should be on a national basis. The sooner the federal government comes along with its stabilization bill and removes any of the commodities that are under our bill and moves them into a national programme I say hallelujah. I think that's a good move as soon as they do that.

I know that you'll be getting a delegation tomorrow morning, or you had one this morning, talking to you about the carrot industry and the problems they're having in negotiations with Ottawa. As far as I'm concerned, I've always said it should be on a national basis so that we don't balkanize the various provinces. And, hallelujah, if the federal government wants to come along under Bill C-50 and take in any of these other commodities, I think it's a good move.

**Mr. McKessock:** Even if their plan doesn't adequately support the Ontario farmers?

**Hon. W. Newman:** Their programme is based very similarly to ours. Their cost-production factors might be worked out a little

differently than ours. As far as I'm concerned, theirs is a stop gap and a help in a bad year for the agricultural community. If we get into incentive pricing, as I feel the NDP is entreating for, we get into supply management, we get into the export market field and we get into all kinds of problems.

**Mr. MacDonald:** Hold it. We're shooting for it but so is the OFA. It's an Ontario Federation of Agriculture programme.

**Hon. W. Newman:** I'm fully aware of it.

**Mr. MacDonald:** So let's deal with it in terms of the agricultural community.

**Hon. W. Newman:** Oh, no, you're the ones who're talking about it all the time in the House. Am I right?

**Mr. MacDonald:** Sure.

**Hon. W. Newman:** I just believe that the farmers in this province don't want incentive pricing and supply management down the road in all commodities.

**Mr. MacDonald:** In other words, what you are doing with regard to the agricultural community is what you've done with labour for years. You're trying to separate the leadership from the rank and file. Go over their heads and say that the leadership isn't reflecting accurately the views of the rank and file.

**Mr. Eaton:** Maybe they've separated themselves.

**Mr. MacDonald:** That's what you think. You were deriding farm income stabilization as just a bit of socialist garbage or something of that nature a year ago and now you're trying to bring it in.

**Hon. W. Newman:** I just happen to feel that most farmers are free-enterprise thinkers, that's all. You can have your own thoughts on that.

**Mr. McKessock:** Would you say that a cost of production programme is an incentive programme?

**Hon. W. Newman:** Theirs?

**Mr. McKessock:** A cost of production programme. Would you call that an incentive programme?

**Hon. W. Newman:** It depends on what you include in the cost of production.

**Mr. MacDonald:** If you chisel on the labour costs and value farm lands at only \$50 an acre, then sure you're—

**Hon. W. Newman:** Oh, come on now!

**Mr. MacDonald:** That's what you did—

**Mr. Chairman:** Order, please. Let the minister continue.

**Hon. W. Newman:** I'd like to just finish off.

**Mr. Riddell:** Just on this one point before we leave it. It's interesting that the Windsor Star quotes you as saying:

Newman said the provincial scheme will provide a supplementary programme which Ontario farmers will be able to add to the federal plan. The provincial supplement would be offered on commodities covered by the federal plan which includes corn, soya beans, oats, barley, beef and hogs.

**Hon. W. Newman:** If the Windsor Star said that, I've been misquoted, because if you read my statement in the House, that's not which I said.

**Mr. Riddell:** Do you not change a bit?

**Hon. W. Newman:** No. I came out with a bill and I came out with a programme and I said it loud and clear in my statement in the House. I don't know where they got that or what date's on that paper, but that's not what I said.

**Mr. MacDonald:** You said the federal plan was inadequate; so they thought you were going to add to it to make it adequate.

**Hon. W. Newman:** We would always hope the federal programme would be inadequate.

**Mr. Ruston:** Soya beans at \$4.35 a bushel. That's fair money.

**Mr. Chairman:** Order, please. Mr. Minister.

**Hon. W. Newman:** Let's talk about productivity and tile drainage. Five years ago we were expending \$4.5 million a year on tile drainage in the Province of Ontario. It has escalated very rapidly and with the constraints that were put on this year—yes, there were some constraints put on—it came in in the original budget at \$13 million. Last year all the applications that were in to the ministry by March 31 were cleaned up by March 31, which was the end of our fiscal year. The applications that were in to the ministry were cleaned up and I'm correct on that? Yes. They were cleaned up as of March 31, all that we had on hand. I just want to make that very clear to you. But because of the budget at the time of the announcement, and realizing the number of requests that have

come in since then, we've added \$3.8 million to the budget. It came in at \$13 million and we added \$3.8 million to bring it to \$16.8 million. I just want to make that very clear.

**Mr. Williams:** Is that tile drainage?

**Hon. W. Newman:** Yes, tile drainage.

**Mr. Riddell:** Mr. Minister would you give me an honest answer? Is the government—

**Hon. W. Newman:** We always give an honest answer.

**Mr. Riddell:** —intending to phase out of this programme within the next few years?

We've seen this happen in the west where some of the western provinces have phased out this programme entirely. Other provinces, of course, never did get it started. It looks to me as if you people, by restricting your budget on the tile drainage loan, are trying to get out of this programme.

**Hon. W. Newman:** All I can say is the long-term planning of the ministry is to continue this programme and expand it.

**Mr. Riddell:** Good. I'm glad we got that on record.

**Mr. MacDonald:** You have those 19,000,000 acres in northern Ontario; to compensate for the land lost in the south you need to expand it to 100 million a year.

**Mr. Lane:** That's under northern Ontario.

**Hon. W. Newman:** There's a lot to come ahead of that area up there unfortunately. There are a lot of other areas that could be growing a great deal more corn, which I think—

**Mr. MacDonald:** Eastern Ontario.

**Hon. W. Newman:** Exactly; I'm glad you know, that's good.

Okay, I talked about the IMPIP changes, which you asked about. I did ask for six per cent cuts to the 18 per cent cut. I asked that there not be an over-reaction out of Ottawa on milk production; because last year, let's not kid ourselves, was an ideal year across Canada for food production, for hay crops, for grain crops. It was an ideal year right across Canada and there was an over-production across Canada. I just say this, and I say it in all sincerity, I don't like an 18 per cent cutback because I am afraid, and I'm very much worried, that if we over-react and we get the producers out of producing milk we won't get them back in. I've made this position very clear in my negotiations and by

letter to Ottawa. I think we can very easily over-react and then we've got ourselves a problem two years down the road.

**Mr. Riddell:** What response did you get from the minister?

**Hon. W. Newman:** None.

**Mr. MacDonald:** That's another of our problems.

**Mr. Riddell:** That's not like him at all. He should come down to my area and see how dry it is right now and he may be—

**Hon. W. Newman:** I'll say this in fairness to the federal Minister of Agriculture, I believe without question that he really is sincerely interested in the well-being of farmers of this province.

**Mr. MacDonald:** Well sure.

**Hon. W. Newman:** And I say that in all sincerity. The trouble is the government of Canada won't let him do it.

**Mr. MacDonald:** His position is exactly the same as yours. You're a loner isolated in the cabinet, and the rest of the cabinet—

**Mr. Chairman:** Order, please.

**Hon. W. Newman:** You talk about adding two cents a pound to the MSQ to try to bring in more MSQ to the producers. The priority basis set up by the Ontario Milk Marketing Board is for new producers and those who were in trouble two years ago who have their heifers springing now and coming into production. They're looking at those first and that's why I've been meeting with the Milk Marketing Board. We should be trying to assist in the form of trying to get people out of the business or we should be trying to assist to help those who are already in the business.

**Mr. MacDonald:** Incidentally, Mr. Minister, when you meet the marketing board and the commission, is it possible to have at least the critics in the opposition parties in on that meeting too so that—

**Hon. W. Newman:** No.

**Mr. MacDonald:** We're willing to help you to solve this problem.

**Hon. W. Newman:** I think you've made your suggestions and we'll certainly keep them in mind when we are discussing it. I've had many suggestions from many of the members in the Liberal Party, but I don't think we have any suggestions in writing



from your party. But they are certainly welcome.

**Mr. Ruston:** We've got a good one for you.

**Mr. Lane:** Mr. Minister, Mr. Riddell raises a good point here, with the dry weather we're having right now, as a result of which milk production is going to be way down. I think Mr. Whelan should be aware of that because there could be over-reaction and there could be some complications.

**Hon. W. Newman:** We have said we feel there could be over-reaction. The way it is shaping up now, I have a report from north-western Ontario and other parts of the province where they are having some serious problems right now.

**Mr. Lane:** Eastern Ontario is getting pretty dry too.

**Hon. Mr. Newman:** Yes, eastern Ontario; it's dry all over.

[5:45]

**Mr. Gaunt:** We didn't get any rain over the weekend either.

**Hon. W. Newman:** We'll give you some of what we got last night. You mentioned the great conversion programme. I would just like to know that we have almost 100 applications. Some of them have already been approved. Yes, we did have some problems with the bank interest rate; we negotiated for a better bank interest rate and we have approved certain loans now. I think, this is very important, that we let you know that the programme does go to 1979 because of the time lag, so it will go on for almost the extra year.

You also got into another situation which really is under Correctional Services, about the DeJonge Group taking over . . .

**Mr. Riddell:** Yes, but you have some influence, surely, over that.

**Hon. W. Newman:** I'm just pointing out that comes under Correctional Services. I won't mention that one of the legal representatives acting for DeJonge—

**Mr. Riddell:** Oh yes, don't bring in that red herring. As a matter of fact his support is gone, I understand, so you don't need to worry about that.

**Hon. W. Newman:** I didn't bring it up. I didn't say I was going to make—

**Mr. Riddell:** You brought that in though. Don't you worry, we would pursue the mat-

ter regardless of the person you're talking about.

**Hon. W. Newman:** Anyway, that particular matter comes under the Minister of Correctional Services, at this point in time, so I think the question would be more appropriately directed to him.

**Mr. MacDonald:** Is this the place to deal with that specific programme or shall we deal with it when we get to marketing in the detailed estimates?

**Mr. Chairman:** I would think it was the detailed estimates.

**Mr. MacDonald:** In the detailed estimates? Okay.

**Hon. W. Newman:** I think I covered your points there.

On vote 1701:

**Mr. Chairman:** Vote 1701, item 1, main office.

**Mr. MacDonald:** Just a minute now, there are a number of items in main office.

**Mr. Chairman:** Do you want to discuss these items by items or vote by vote?

**Mr. MacDonald:** I think item by item.

**Mr. Chairman:** Item 1.

**Mr. MacDonald:** Item 1 is usually an item in which something that doesn't fit in elsewhere may be brought up. That's our traditional approach. I have one or two matters I wanted to raise with you at this point.

Mr. Minister, I'm a little curious, and I think in your interests it would be well to allay the queries and the suggestions raised. What was the purpose, or what was the objective, of the government in that conference you held at the Prince Hotel in which you sort of dodged or went around the existing farm organizations and tried to bring a separate group in. The Farm and Country reported, for example, that Gordon Hill questioned why the meeting had been held without consulting farm organizations. Doesn't Bill Newman trust existing farm organizations? And Mr. Newman was reported as saying: "All I wanted to hear was from a cross-section of younger farmers without going through the three farm groups and the marketing boards." Yet the person who headed up the meeting, presumably by your choice—

**Hon. W. Newman:** Not by my choice. Let's make that very clear, it was not my choice. I did not know who was going to be invited. It was left to the junior farmers who worked with our ag reps and our people. I did not have any idea who was coming to the conference or who was going to head it up.

**Mr. MacDonald:** Let me quote one paragraph from the Farm and Country story. It says: "Pressed by reporters on the farm stabilization question, he"—that's Lyle Vancief from Prince Edward county who chaired the meeting—"said: 'Young farmers are almost unanimously against income stabilization run by governments.'" If that's the case what the devil are you bringing one in for?

**Hon. W. Newman:** I beg your pardon?

**Mr. MacDonald:** What are you bringing in a farm income stabilization programme, run by government, with the farmers excluded in terms of being contributors, so that it is going to be exclusively, to the extent of its money, a subsidy of the public treasury which you say farmers don't like? This is the kind of view that, presumably, you've got from these young farmers.

**Hon. W. Newman:** Where do you stand? I don't know which side you stand on now.

**Mr. MacDonald:** I know where I stand. I stand in favour of farm income insurance which isn't just a stop-loss proposition. That's what this government and the Liberals in Ottawa stand for, a stop-loss kind of arrangement. But interestingly enough, while farm organizations having gone through their convention and worked this thing through and presented a programme, are asking for it, you go around them or over them and bring in a group of farmers, and the chairman of the group, the spokesman of the group, reports that young farmers are almost unanimously against farm income stabilization. And he came out against subsidies, on the ground they benefit consumers as much as farmers, and that agriculture should be healthy enough so that government subsidies are not needed. This is the kind of Tory rhetoric which bolsters the suspicion that what you were trying to do was get views which would counter the official views of the existing farm organizations.

**Hon. W. Newman:** Okay, let me make it very clear to you exactly what happened at the young farmers conference. I would like to explain it in some detail. We have excellent farm organizations, don't get me wrong, but I thought it would be a good idea to get

together a group of young farmers, between the ages of 18 and 35, I believe—was that not the age group we stayed within? They were picked to represent various segments of the agricultural community across this province, to come to a meeting to express their views.

Let's keep in mind that some of those young people are members of the Ontario federation, some are members of the provincial farmers' federation and some are members, I believe, of the National Farmer's Union. There was a cross-section of junior farmers who belonged to some of the other organizations. We were not trying to bypass any of the organizations. We were trying to get a group of the young farmers in this province together so they could express their views, as the future generation which would be making the decisions down the road, as to where we're going in the agricultural industry.

**Mr. MacDonald:** Why the initial decision to exclude the press?

**Hon. W. Newman:** The press was invited.

**Mr. MacDonald:** Why the initial decision to exclude the press though; until the press appeared and you were so embarrassed that you found—

**Hon. W. Newman:** That's a lot of utter nonsense. Listen, it was their conference—

**Mr. MacDonald:** I'm sorry, it isn't nonsense. I was there. I talked to press people who were told the night before they weren't going to be permitted in.

**Hon. W. Newman:** Let me just finish. May I finish?

We decided it would be the young farmers' conference. They would run it the way they wanted to run it. Our staff would be there if they needed them for backup.

**Mr. MacDonald:** The people who told the press they wouldn't be allowed there were your staff.

**Hon. W. Newman:** Just a minute. Our staff were there as a backup group for them, if they wanted information. They were running their own show. I believe, but I stand to be corrected, that they decided to exclude the press. When the press showed up, apparently—whatever morning it was, a Monday morning I believe—they decided to let them in. Is that not correct?

**Mr. Lantz:** Yes.

**Hon. W. Newman:** I have asked Ken Lantz about the press because he was there. I believe this group of young farmers decided it would be—

**Mr. Lantz:** One of the reasons for that thinking was that the junior farmers were dealing in small discussion groups most of the day. They had picked out the topics they wanted to discuss during the day and they were in small groups of 10 to 15 perhaps. There were many groups all through the hall and it was felt that perhaps the press and others would just have to wait most of the day until there would be something significant that could come out as a summary. So it was really toward the end of the day before the summaries came forward that gave some consensus on what they were discussing so far as the various topics were concerned. I think this was the basis.

**Mr. MacDonald:** Mr. Minister, I don't want to get into an argument with one of your civil servants. I want to have an argument with you.

**Hon. W. Newman:** Okay good.

**Mr. MacDonald:** For reasons that mystify me, at the initial stage, you say, the junior farmers decided it. Quite frankly, I don't believe you, because I was there.

**Mr. Eaton:** Tell him to withdraw that statement.

**Mr. MacDonald:** I'm not going to withdraw anything. I was there and I spoke to the press people. When I arrived they said: "What the hell is going on around here?"

**Mr. Williams:** What has this got to do with agriculture, Mr. Minister? Arguing whether the press were invited—

**Mr. MacDonald:** What has it got to do with agriculture? It was a junior farmers' conference that was called by this ministry—

Interjections.

**Mr. MacDonald:** —and they were told by one of the officers of your ministry that the press wasn't going to be permitted. They were meeting, admittedly in small groups—I was there, I wasn't invited but I was still there, I was like the press.

**Mr. Riddell:** In what sense did you attend the conference? As the member for York South?

**Mr. MacDonald:** Sure I attended. I heard about it and I went.

**Mr. Riddell:** Yet I was denied the privilege.

**Mr. MacDonald:** You weren't denied the privilege.

**Hon. W. Newman:** Wait a minute. It was the young farmers' conference; they ran it the way they wanted to run it. The member for York South showed up, as well as the press, the morning of the conference and I got involved at that point in time. When I arrived at the meeting—I forgot what time I arrived at the meeting—I talked to Lyle Vanclicf and it was decided that because the press were there they were going to let them in. It was my understanding that the committee, headed by Lyle Vanclicf—who by the way is a very capable young farmer—

**Mr. MacDonald:** Right, right; he needed to be capable to handle that meeting.

**Hon. W. Newman:** I beg your pardon?

**Mr. MacDonald:** He needed to be capable to handle that meeting and synthesize everything that came out of it.

**Hon. W. Newman:** He did an excellent job and the committee that worked on it did an excellent job. Some of the other farm groups—

**Mr. MacDonald:** I spoke to some of the press people who came from his own area and they told me they arrived and obviously he couldn't keep them out. He would have been crucified back home if he had kept them out. If you were giving leadership you should have said to them: "If you're bringing farmers in and you want people to find out what young farmers think, keep it open. Don't try to hide anything if you've got nothing to hide."

**Hon. W. Newman:** We have nothing to hide and the young farmers had nothing to hide at any time along the way. I want the record to show we've nothing to hide.

**Mr. MacDonald:** I said to one of the officers of your ministry: "Can I sit down, for example, and just listen in on one of these groups?" He said: "Oh no, that would inhibit them talking." What an insult to a group of young farmers that it would inhibit them.

I tried it on for size with some of them and they said: "Sit down. We're glad. We don't care. We'd be delighted if somebody is interested enough to sit in."

It was this whole effort to keep it closed that rankled. If you didn't intend this, this



was nevertheless the impression you created, that you were trying to build another group. When that group suddenly came out saying they were not in favour of farm income stabilization—on which you apparently didn't accept their advice—when they came out with a view that it happened to be opposed to that of the parent organization of which most of them are members, namely the federation, people wondered what game you were up to.

If you have nothing to hide, keep it open and say to the young farmers: "Look we've invited you here. If the press want to sit in, let them sit in."

**Hon. W. Newman:** I invited a group of young farmers, and I don't back off one inch from it, to sit down and discuss how they felt about the future of agriculture in this province. If you think it's wrong to get young people involved in the agricultural field—

**Mr. MacDonald:** I don't.

**Hon. W. Newman:** —to have a free-wheeling discussion, then there's something wrong.

**Mr. MacDonald:** If you think you can invite 250 people and try to keep the press out, you've got to learn some of the realities of life.

**Hon. W. Newman:** I didn't keep the press out. It didn't matter to me whether the press was there or not. I myself issued no instructions at all as far as the press were concerned. I thought of it as their conference; it was completely theirs.

**Mr. McKessock:** If the junior farmers did come out against the farm income stabilization programme one of the reasons could have been their age group, they could be pretty heavily supported by their fathers at that age. I've had some fathers tell me lately that if it wasn't for them their sons would be in real trouble.

**Mr. MacDonald:** Exactly.

**Hon. W. Newman:** Anybody can criticize what one tries, or something one does, to try and get a point of view from young people. If you feel critical of it, that's fine, but the letters I've had from young farmers who were at the conference indicate and the young farmers almost unanimously, with one or two exceptions, say they would like to have another conference at some future date because they thought it was a very worthwhile exercise.

**Mr. MacDonald:** I hope you will formally invite others who will be available to attend.

I'm sure the benefits which you presume should be available to all.

**Mr. Riddell:** Mr. Chairman, the thing that disturbs me is I asked the same question of one of your senior officials, as to whether I could sit in, and I was told: "No, you cannot."

**Mr. MacDonald:** Of course not. That was why it was closed.

**Mr. Riddell:** I did not impose myself, as some others apparently did. But I think, surely, when you saw the member for York South appear on the scene, or your officials did, they had every right to contact me and say: "Look, obviously other parties are allowed to attend. You might as well come over."

**Hon. W. Newman:** Let me tell you my actual role in the meeting. I went and made a few opening remarks, for maybe five or 10 minutes. I told them it was their meeting; it was their day and I left. I didn't go back until the banquet hour. I spoke to them at the banquet hour for perhaps 15 or 20 minutes—I've forgotten exactly how long—and then threw it wide open for questions from the floor. That was my total involvement in the deliberations.

**Mr. Eaton:** Donald was the only one there. The rest of them stayed away so we wouldn't get involved.

**Mr. Riddell:** When I purposely asked the question, and when they saw him appear on the scene, I think they had every right to contact us and say: "Sure, if he's there you might as well come over." I would have liked to have sat in and listened too.

**Hon. W. Newman:** Let me say this; if there is another young farmers' conference, and I hope we will have one, it will be up to them to decide who shall or who shall not be there. I think it's their decision to decide what they want done.

**Mr. McKessock:** You'll have to put guards on the door though.

**Mr. MacDonald:** Once again, you're just getting yourself into trouble. You're inviting 250 young farmers to come, for God's sake say it's an open meeting, that any member of the Legislature who would like to learn, along with you, what the young farmers feel is invited. The reason I have proposed a freedom of information bill is to try to get you out of this kind of approach, this trying

to keep things locked up and trying to keep people out of it.

**Mr. Johnson:** I wonder what opportunity the young farmers will have to say anything if we have so many members there doing all the talking?

**Mr. MacDonald:** I wasn't doing the talking I was listening.

**Mr. Chairman:** It being 6 of the clock we will now leave and resume at eight.

The committee recessed at 6 p.m.

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 Williams, J. (Oriole PC)

### Officials of the Ministry of Agriculture and Food taking part:

Lantz, K. E., Assistant Deputy Minister, Production and Rural Development Division.













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# Legislature of Ontario Debates

SUPPLY COMMITTEE—2

ESTIMATES, MINISTRY OF  
THE SOLICITOR GENERAL

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

Monday, June 14, 1976

Afternoon Session

Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

## SUPPLY COMMITTEE

MONDAY, JUNE 14, 1976

The committee met at 3:20 p.m. in committee room No. 2.

### ESTIMATES, MINISTRY OF THE SOLICITOR GENERAL (continued)

On vote 1502:

**Mr. Chairman:** Any further questions? I thought I had some questions from the last session.

**Mr. Lucas:** I thought so too, Mr. Chairman; I thought you had a few questions to ask.

**Mr. Chairman:** Yes, they are on vote 1502. According to your black book there is a pattern running throughout your particular estimates this year. How did you manage the reduction, in this item and elsewhere, of transportation and communications costs by \$6,400 over against the previous year?

**Hon. Mr. MacBeth:** Have you got the answer to that, Mr. Lucas?

**Mr. Lucas:** Well it is a reduction from the estimates for last year; but there was, in mid-year last year, a reduction in that estimate too. In fact for this year there is, compared to what we actually spent, a slight increase. We didn't spend what shows. There was a reduction in travel in connection with attendance at scientific meetings also.

**Mr. Chairman:** In other words, are you finding a restraint within your particular area, Mr. Lucas, on your previous travel plans? Are you pulling back so that you are not attending the same number of lectures, the same number of international and other types of conferences connected with your area of responsibility? Is that what is going on?

**Mr. Lucas:** Yes, that's true.

**Mr. Chairman:** Is there, in your opinion, some loss to the scientific community in the forensic area arising out of that?

**Mr. Lucas:** Certainly.

**Mr. Chairman:** Is there any particular conference which you feel you should have attended and were not able to do so?

**Mr. Lucas:** There have been conferences, yes, but we've looked very carefully at all of the conferences we normally attend and we have restricted ourselves to those we felt were absolutely vital.

**Mr. Chairman:** I trust that the conferences which in other years you would normally have gone to as a matter of course and certainly conferences of any extraordinary nature would be of benefit. This is an ongoing and constantly developing thing. Take a look at what you are doing with the breathalyser area alone. The international findings must be very considerable in this area. To have to restrict yourself on attendance and cluing yourself in—particularly since we've spent millions of dollars for the building and now the brains in the building are not turning over, or are not at least completely clued in—seems to me kind of negative and doesn't really pay off in the long run. If there are areas in which you particularly would want to do this, I think this committee would very much like to know; because we would then put a little more pressure on the minister, to put a little more pressure on the Management Board, to put a little more pressure wherever pressure has to be put a little bit more on.

[3:30]

**Mr. Lucas:** We have full support from the minister.

**Mr. Chairman:** He's fully clued in to your needs and if there is one of these conferences, particularly in the area of chemistry and biology, you really manage to get there, one way or another?

**Mr. Lucas:** We have had representation at the critical ones. The only exception, in the last year, was an international meeting in Zurich we were unable to attend.



**Hon. Mr. MacBeth:** We have been trying to cut down some of the distant places, Mr. Chairman. Mr. Lucas mentioned Zurich. Sometimes you wonder whether the expense involved, in some of the more distant places, warrants attendance and the money involved, but I think our relationship with the forensic people is such that if they felt they were going to miss something by not being there that was important to them they would let us know.

**Mr. Chairman:** From the conversation I had with you, Mr. Lucas, in the hallway, the laboratory itself doesn't keep records. Does it do any work on fingerprinting at all?

**Mr. Lucas:** No, it doesn't.

**Mr. Chairman:** It leaves that to the Ontario Provincial Police?

**Mr. Lucas:** Yes. The Ontario Provincial Police and other police forces.

**Mr. Chairman:** And other police forces? And the training for people who are qualified in fingerprinting analysis is not handled, again, by your department at all?

**Mr. Lucas:** No.

**Mr. Chairman:** I see. Is that handled through the police college, Mr. Minister? Who trains fingerprinting experts?

**Hon. Mr. MacBeth:** That's simply the police forces themselves and the college. Anybody else involved?

**Mr. Lucas:** There is training at the police college at Aylmer, there is training with the RCMP; and of course there is in-service training within the police forces themselves.

**Mr. Chairman:** One page here, dealing with current levels of service, 1975-76, average processing time per case, 23 calendar days. The average cost is \$268 per case. How do you arrive at a figure of, say 23 calendar days; numerous people are all engaged, or in many cases there would be a mixed scientific community operating. How do you work all that out?

**Mr. Lucas:** This is an average figure obtained as each case is reported. The number of days it was in the lab is calculated, and then at the end of the month an average is taken for each section. This is the overall average for the laboratory as a whole, it varies from one section to another.

**Mr. Chairman:** As a layman, a complete ignoramus on these matters, 23 days seems

an awful lot. Can you make any response to that bald assertion?

**Mr. Lucas:** It is longer than we would like it to be but it is primarily made up of a backlog that has developed over the years. At any given time we have approximately 900 cases in the place and that represents something of the order of three to four weeks work.

**Mr. Chairman:** Yes, you are trying to cut back because in your commitments for this fiscal year you've gone down to 22 calendar days.

**Mr. Lucas:** We're hoping we can improve that. We are always striving to improve it.

**Mr. Chairman:** What does cases for technical study—for instance, the section on biology—What does acceptable mean?

**Mr. Lucas:** The acceptable column is my estimate, based upon the study of our own operation and other forensic laboratories, as to what is an acceptable case per staff ratio. It varies from one section to another because the nature of the work varies considerably.

**Mr. Chairman:** If the case load got any greater than obviously it would be unacceptable.

**Mr. Lucas:** Yes.

**Mr. Chairman:** As General de Gaulle used to say.

**Mr. Lucas:** Yes.

**Mr. Chairman:** And you are getting down to unexplained deaths; why are deaths unexplained?

**Mr. Lucas:** Well that is a name. We have had great difficulty finding a way to describe the type of case. This is the type of case, primarily a coroner's case, where the conclusion from the autopsy of the pathologist either does not have an obvious or explained cause of death, or he wants further work to confirm that. It perhaps is not a good description of the type of case, but it is the best we could think of.

**Ms. Sandeman:** It doesn't mean you can't find an explanation. It means that when it comes in they say to you: "Explain it to us."

**Mr. Lucas:** Yes.

**Mr. Chairman:** I see. Why the very considerable increase in case load under photography? There is a 62.5 per cent change.

**Mr. Lucas:** If you look at the actual figures, they are very small. The photography section

is primarily a support section. They do very few cases on their own, but we have, over the last two years, increased the type of case they do on their own. But the case work for photography is not really an indication of their work load.

**Mr. Chairman:** On the mutual disclosure section—Mr. Roy was on it the other evening—you have no way of telling whether the Crown attorney, in fact, gives the copy to the defence counsel?

**Mr. Lucas:** Only insofar as our people, when they arrive in court, usually find defence counsel has a copy of our report. We have no way of checking this and we have not checked it.

**Mr. Chairman:** I take it there are reasons, probably simple questions of location perhaps—I don't know why that would be so—for not giving a copy directly to defence counsel?

**Mr. Lucas:** The main reason would be that we would not know who he was.

**Mr. Chairman:** Yes, at that period before trial?

**Mr. Lucas:** Yes.

**Mr. Chairman:** A question just between you and me, Mr. Lucas: Is there any way of beating the breathalyser?

**Hon. Mr. MacBeth:** Why would you want to know that? I can imagine others asking it.

**Mr. Lucas:** Don't take it.

**Mr. Chairman:** But you would be charged with the same offence anyhow.

**Mr. Lucas:** You would beat the breathalyser though.

**Mr. Chairman:** Yes, of course, but that's not beating anything. You might win the breathalyser. What do you do, Vern, when they phone you at four o'clock in the morning and they say: "Shall I take the breathalyser or not?" I usually say: "The way you sound on the telephone, you'd better not."

**Mr. Singer:** Just about the same. I won't get out of bed to bail them out.

**Mr. Chairman:** Not in that kind of case, no. I think those are all the questions I have.

**Mr. Singer:** Before you leave this branch, there used to be quite an issue about the availability of highly trained biochemists, biologists, persons of that sort; MAs, PhDs;

and quite a substantial turnover. First of all, are you up to strength on that kind of staff?

**Mr. Lucas:** We have not yet hired the staff or increased complement this year but we are in the process of selecting them. There are, at the present time, many excellent people available, coming out of universities and so on, who are having difficulty finding employment. We should be able to fill our complement.

**Mr. Singer:** How much under complement are you?

**Mr. Lucas:** As of today, probably three or four.

**Mr. Singer:** How long have you been under complement?

**Mr. Lucas:** That would be since April 1 when we—

**Mr. Singer:** Oh, in this budget?

**Mr. Lucas:** Yes.

**Mr. Singer:** Where you up to complement in your last budget?

**Mr. Lucas:** Yes, at various times during the year. We might, as of March 30, be down one or something, but we would be at or very close to complement.

**Mr. Singer:** In the year 1975-1976 up to the end of March, has there been a large turnover in the senior staff?

**Mr. Lucas:** No, there has not. We have a very small turnover.

**Mr. Singer:** Would you say that the salaries that are paid here in Ontario are reasonably competitive with salaries for forensic centres in the American jurisdictions.

**Mr. Lucas:** Reasonably competitive, yes.

**Mr. Singer:** Well that's a welcome change, because it didn't used to be so. There was a constant drain, if you may remember, among senior staff in the forensic laboratory. They were constantly running off to better paid and better known jobs and one couldn't really blame them. I am glad that you seem to have caught up on that.

**Hon. Mr. MacBeth:** I personally can take no credit on that.

**Mr. Singer:** Well whoever deserves the credit, good for them.

**Ms. Sandeman:** The extra complement you need, the three or four, are they going to go

into the technical staff so that this overload-  
ing on the case levels can be in some way  
rectified, or are they going to go elsewhere?

Mr. Lucas: Five of the six will go to the  
technical staff.

Ms. Sandeman: And that will bring the  
acceptable case level nearer to the actual—

Mr. Lucas: It will improve the situation,  
yes. It will improve it eventually. There is a  
delay until those people are trained and are  
able to really work on cases.

Ms. Sandeman: It is what I have been  
hearing you say on the backlog of day-to-day  
work which makes me wonder just how much  
you are able to meet the third objective of  
this centre which as stated here is, "the con-  
duct and encouragement of research to ex-  
pand forensic sciences services." Is that more  
of dream than a reality at the moment, that  
you are encouraging and conducting research?

Mr. Lucas: It has decreased, yes, as the  
demand for service increases. Something has  
to suffer and that has suffered. But we still  
have some research ongoing.

Ms. Sandeman: Do you have some staff  
who are designated as research staff who  
are working on particular projects, or is it  
something that is an ongoing thing?

Mr. Lucas: It is an ongoing thing. What  
we try to do is when a person has an idea  
developed to a point where time becomes  
important, we then take them off case work  
for a finite period of time to do their re-  
search.

Ms. Sandeman: That might be a speedier  
way of doing an analysis or something, that  
kind of research?

Mr. Lucas: Yes.

Ms. Sandeman: I think that seems to tie  
in with the questions that Mr. Lawlor was  
asking about the cutback in the people tak-  
ing part in forums around the world in your  
specialty. Is it possible, for instance, for  
your staff to present papers? Is there time  
for people to do that kind of detailed re-  
search and to go to Europe or wherever to  
present a paper from your centre saying, in  
effect: "Look, this is what we are doing in  
Ontario"?

Mr. Lucas: Oh yes, we do that. Every  
year we will present several papers at  
various places.

Ms. Sandeman: Are they published?

Mr. Lucas: Yes, there are.

Ms. Sandeman: I am sure they are way  
above my head, but I would be interested  
in seeing the kind of thing you are doing.

Mr. Lucas: Would you like some reprints?

Ms. Sandeman: Bring them or send them.  
We have a biologist in the family who will  
explain the technical terms to me.

Do you feel you have enough leeway in  
the budget to carry out the research func-  
tion, if it is important enough to be identi-  
fied as one of the three purposes of the  
forensic science centre? Is it given equal  
weight with the other two functions, the  
production of evidence and the provision of  
educational programmes; or do you give the  
evidential part of your procedures first pri-  
ority and then education next and research a  
poor third?

Mr. Lucas: Yes, that is correct.

Ms. Sandeman: That is what is happening  
is it?

Mr. Lucas: Our prime purpose is to serve  
our clients and that is our highest priority  
activity. The other two activities are of lower  
priority. One makes a decision as to where  
one is going to assign people.

Ms. Sandeman: If the research budget is  
cut too far back, though, then your primary  
purpose can be affected. It would seem to  
me that in anything like that, you can't do  
a first-class job unless you keep the research  
going.

Mr. Lucas: Eventually; you can get by  
for a while by cutting back here, but I think  
in the long run the whole place suffers, yes.

Mr. Chairman: Further questions on item  
2 of vote 1502? Carried. Item 3, the fire  
safety services.

Hon. Mr. MacBeth: Mr. Joe Kendall is fire  
marshal.

[3:45]

Mr. Ruston: Mr. Chairman, if I could just  
ask a question with regard to highrise fire  
safety, since I had experience only a couple  
of nights ago at a residence I have in To-  
ronto. At times I am sure people must be  
very confused when fire alarms go off when  
they are on the 20th or 30th floor. What  
concerns me is the instruction given when  
people move into highrise apartments. When  
you are from the rural areas, you break a



window and jump out and that's fine. I am wondering if it is mandatory that apartment owners give a set of guidelines or rules in case of fire alarms. Are most apartments' alarm systems directly hooked up to fire stations in metropolitan areas such as Toronto?

**Mr. Kendall:** No, I don't think most of them are hooked up. There are two schools of thought as to whether you should try to evacuate the building or whether you should try to get people to stay in, depending on the situation.

**Mr. Ruston:** Are there any mandatory rules, with regard to highrises, as to what information or direction people are given when they move in as to what they should do? I was in Ottawa on Thursday and just got back as far as Toronto on Friday evening to stay here. I had my family with me—it was interesting because they had never stayed here that often, I went through this a couple of times before so it didn't bother me that much.

There just hasn't been any direction, of which I am aware, in buildings where I have talked to people. They don't know whether they should go down, whether they should go down in the elevator; or whether they should start walking down even if its 40 flights. I tell you it's a strange situation. It must be very confusing to people who have to go through this once in a while. I don't know what should be done.

**Mr. Kendall:** There is nothing mandatory.

All the fire prevention bureaus try to encourage apartment owners to post the rules of the game. But it is quite a question, apparently, whether to order the people to stay in—if anything happens somebody is going to be sued—or whether they should order them out to try to get down 40 flights of stairs.

**Mr. Ruston:** It seems to me that after an alarm goes so far—there is no public address system in any of these buildings, which would of course be one alternative to signals on the alarm system—but after a period you either state it is a false alarm or not. I think, though, it is something we really should be looking at.

**Mr. Haggerty:** Haven't you got a rope in your room, Dick?

**Mr. Ruston:** No, I said to my wife when we were standing on the balcony watching the fire trucks move up: "Well, I think the

next time we come down I am going to bring one of my hay ropes." I recall staying in the Walker House about 22 years ago and there was a hay rope there you could throw out and climb down on.

I live in Mrs. Campbell's riding when I am in Toronto, and my wife and I were there, and my sister-in-law. One of them had read the book "Towering Inferno." I have seen the movie, but I have pretty strong nerves so it didn't bother me that much. Some of the people went down the elevator, a few more walked down. The most of them went back to their rooms and forgot about it until the bell quit ringing. But I just don't think that is a good system, it can't be.

**Mr. Kendall:** There is voice communication in all newer construction, but obviously there isn't in older buildings.

**Mr. Ruston:** This one, I would think, is about seven years old. Maybe Mrs. Campbell has had more experience as to what there should be and I am sure is more aware of this than I am. But I was quite concerned about it. Another thing; I think it was in the Windsor Star this weekend, there was a special article on arson investigations. I suppose what it really meant, in the article, if I remember correctly—I don't have it with me—was that there weren't that many people available. I am speaking of Windsor and Essex county. I think there is one investigator, Mr. Don Campbell, if I remember the name correctly, for a two county area.

They were concerned about the number of fires that are arson cases, but it is very difficult to do the investigation when the investigator can't get in until a day after the fire. It is almost impossible to come up with any kind of a case because the firemen, in their process, may have upset something, or if the place isn't properly guarded someone could have come along in the meantime. So as the article stated, it was very difficult to prosecute. Although their understanding was that they didn't worry too much about prosecutions, since there was insurance coverage they wouldn't worry about it. But it just happened to come to mind now, since the article was in the paper on the weekend about arson investigations, the very difficult task of investigating and really pinning things down for that one reason.

**Mr. Kendall:** Is this a fire department article?

**Mr. Ruston:** It was written by one of the reporters on the Windsor Star. They had been interviewing fire chiefs and different people regarding fires which they suspected were arson, but were so difficult to prosecute because of the difficulty of getting information. In other words, the investigator may be in London or some other place, so a day could go by before someone could get in. They don't seem to have detective forces trained in that type of thing who really get involved in it that much.

**Mr. Kendall:** First of all, we certainly never would take the view that because it was insured we wouldn't be interested—

**Mr. Ruston:** Well I am sure you don't.

**Mr. Kendall:** Secondly, we do have one man do Essex county. He does have to move around mainly Essex county.

**Mr. Breaugh:** I have a number of questions on this item that I'd like to raise while it's fresh in our minds. Let's deal with the matter of safety in the highrise.

Is it still true that most elevators in highrise are heat activated elevators, and in the event of a fire will most likely go directly to that floor where the fire is? Is that still the case?

**Mr. Kendall:** They will go to that floor automatically?

**Mr. Breaugh:** Yes.

**Mr. Kendall:** Apparently there is some malfunction that occurs when there is a lot of heat that causes this. But it has to be very hot.

**Mr. Breaugh:** It has to be a very intensive fire?

**Mr. Kendall:** Yes.

**Mr. Breaugh:** I recognize there have been some really substantial improvements in inspection service and in standards set for highrises but what is your department doing about—let me list a number of things: First, the elevators going to a particular floor in a highrise development where there are a number of floors to go down and there is effectively no escape route for the people? Could you relate that type of a problem to what you now do when you approve a highrise structure? What steps have you taken to improve the situation?

**Mr. Kendall:** The elevators now are keyed to go to the ground floor in case

of a fire. There are two escape routes, of course, always two stairways. Under the new code, we must have an elevator for the firefighters.

**Mr. Breaugh:** You just said something that perhaps is not true. You said there are two escape routes. I would think, for a number of people, there isn't any escape route. Someone who is handicapped, for example, certainly can't use the stairs. If it is a highrise building of more than three floors, there are a number of people to whom, for all intents and purposes, the stairs are no escape route because they will never make it.

**Mr. Kendall:** You are talking about an apartment building, are you? These buildings are compartmented. The incidence of fire going from one apartment to another has hardly ever happened in highrises in this province.

**Mr. Breaugh:** I wouldn't like to feel, though, that the fire marshal is saying that because it has hardly ever happened we're not worried about it.

**Mr. Kendall:** No, that is one of the safety features built into an apartment building. The building is compartmented as opposed to a straight open space.

**Mr. Breaugh:** Yes, the newer buildings are. Could I move to a slightly different version of the same topic? What are you doing in older buildings, which is probably everybody's main concern, in hotels, apartment buildings, in rooming houses, and places like that? Aside from what we read about in the press these days, there do seem to be a number of municipalities where there are some real problems and everybody hopes there isn't a fire. It strikes me your office ought to be concerned with that. Municipal fire departments, as an example, don't have equipment that can get to the top of a highrise, or can only reach the first six floors and can't get at the rest of it? What kind of inspection services do you provide and what is the follow up?

**Mr. Kendall:** We have no inspection force at all in the fire marshal's office. The inspections are carried out by the members of the fire prevention bureaus of the fire departments. We only become involved if they issue a fire marshal's order, ordering the owner to do something and he doesn't do it, or appeals. Then we sit on the appeal.

**Mr. Breagh:** But are you not interested or involved in setting standards for inspection and in offering remedial action?

**Mr. Kendall:** We are certainly interested. We sit on code committees. That's our main interest. We do not have any inspection staff per se.

**Mr. Breagh:** You don't do the actual inspection. You do, in effect, set the standards or participate in the setting of standards.

**Mr. Kendall:** We train these people at the fire college at Gravenhurst—personnel for the fire prevention bureaus, and chiefs and so on.

**Mr. Breagh:** Would it not be your job then, that particular point, to make recommendations to the ministry or to the municipal fire department on certain changes in inspection procedures or follow-up activities?

**Mr. Kendall:** Yes, we are constantly training and retraining these people, if that is what you mean.

**Mr. Breagh:** Okay; there is a number in this section, in the report on fire training services. Could you state for the committee whether there are full-time firefighters, on the job without any training? Or are they by and large, mostly trained firefighters before they begin service?

**Mr. Kendall:** I can't speak for all the departments, of course. There could be some volunteer departments taking them on and putting them to work the first day, but I would hope not! Most of them have training programmes of their own. We also go around the province and hold regional fire prevention schools.

**Mr. Breagh:** I notice too, in the report—I am really kind of comparing what is done, for example with police officers in Ontario, and what is done with fire fighters. There does seem to be a rather different approach to it. You seem to be taking five-day, fire fighting courses out into the various parts of Ontario. How does that work for you? Do you think that is a more efficient method than taking everybody to Gravenhurst?

**Mr. Kendall:** Obviously, a lot of the volunteers can't get to Gravenhurst so it is no good to them. Perhaps their salaries and expenses won't be paid by the municipality. So we had to do something. We take the training out to them. These schools work out very well, I think.

**Mr. Breagh:** Okay, under administrative services, you have listed here a section which kind of interests me. I recall some controversy about it about a year ago. That is the service that is provided in the preparation and distribution of information concerning the location of licenced users of radioactive material in Ontario. Would someone care to elaborate on that just a bit for me?

**Mr. Kendall:** I didn't know there was any controversy over it. We are notified by the shippers of this material. We pass along this information to the fire department, indicating where this radioactive material is stored. In case of a fire, they will know what action to take.

**Mr. Breagh:** Were you involved at all in things like the incidents at Port Hope?

**Mr. Kendall:** Not at all, no.

**Mr. Breagh:** None at all, and yet that is radioactive material, surely. I think I am reading a broader reference into what you have written into the report here than you actually do. Specifically, what do you do?

**Mr. Kendall:** Just transportation of this material.

**Mr. Breagh:** Any radioactive material?

**Mr. Kendall:** Yes. Going to a hospital or to a laboratory. Then we notify the department, that is where it is.

**Mr. Breagh:** Could we get some indication of how busy that little department is or how much work is done? How much radioactive material is being moved around?

**Mr. Kendall:** Very little, as far as we are concerned. This wouldn't keep one girl busy, one day a month.

[4:00]

**Mr. Breagh:** Is that because there isn't very much radioactive material being moved or because you're not aware of very much radioactive—

**Mr. Kendall:** We're certainly not aware of any more than that amount.

**Mr. Breagh:** It seemed to be not given much of a profile in the report itself, and I am assuming that there isn't very much going on. I hope there isn't. And when you say that you have one girl, I certainly would never say a thing like that.

**Mr. Kendall:** That is all we do have. It is the only way we are involved in this.



**Mr. Breagh:** So that's really not a very large role in your department?

**Mr. Kendall:** No, it is not.

**Mr. Breagh:** I think I was misled somewhat by the fact that someone chose to write it into the report anyway. I was rather intrigued that would be an activity of the fire marshal's office.

**Hon. Mr. MacBeth:** If I might interrupt, when you say you don't notice much activity or movement, do you believe that you're getting notification of all the movement that goes on?

**Mr. Kendall:** I think we do, yes.

**Mr. Breagh:** Let me pursue that a bit then. Just a little while ago in the Port Hope area there was a movement of radioactive fill in the back of a truck. It was in the midst of the controversy down there. Obviously they knew it was radioactive material, they put it in the back of a truck and took it up the main road. The truck had a small accident and dumped the stuff all over the road. Were you aware of that?

**Mr. Kendall:** No, we were not.

**Mr. Breagh:** Could I pursue this just a bit further here? When you put it in the report, I expect that you know what's going on, that you have some mechanism so that when people move radioactive material, particularly in that instance on a public road with a public conveyance, they would have had an obligation to inform you? Is this kind of a courtesy information service that you run or do you actively pursue this? In other words, if Eldorado wants to move some radioactive material off the road, are they supposed to notify you?

**Mr. Kendall:** Yes, we are supposed to be notified of all shipments.

**Mr. Breagh:** And they didn't?

**Mr. Kendall:** Not this fill in the back of a truck, no.

**Hon. Mr. MacBeth:** You say "of all shipments." I don't know whether a cleanup operation would be regarded as a shipment or not. In other words, is there a requirement to notify you of the cleanup operation such as was going on in Port Hope?

**Mr. Kendall:** No.

**Mr. Breagh:** So what do you do in this area then? I am at a loss to understand what you do.

**Mr. Kendall:** The reason we do it is so that the firefighters will know what action to take should they go to this hospital or this warehouse where the stuff is stored. We will know what is stored there.

**Mr. Breagh:** It is for purposes of fighting fires; if a fire should occur or if there were an emergency there, the firemen themselves would know about it?

**Mr. Kendall:** That is right.

**Mr. Breagh:** You are really not doing this from a public safety point of view. You are not identifying to the public at large that there are radioactive materials—

**Mr. Kendall:** No, no; just for the firefighters.

**Mr. Breagh:** That bothers me a little.

In your compilation of fire loss statistics, you've got down here that any concerned body will be able to obtain statistical data on request. Would you care to elaborate on that? Who makes those inquiries? What do they do with that information?

**Mr. Kendall:** People writing safety codes will get that information. Members of the Legislature and the like can get it.

**Mr. Breagh:** People like insurance companies?

**Mr. Kendall:** Insurance companies, yes.

**Mr. Breagh:** Using it for setting rates and setting standards for policies and things like that?

**Mr. Kendall:** They probably do, yes.

**Mr. Breagh:** Okay. One other question I wanted to ask under this item was the matter of investigating arsons in which I understand you play a role. Why is it we have such a difficult time with that, particularly in Toronto recently? Toronto has had a number of incidents where a supposed arson occurred. Why are we having such difficulty, and how is it this continues to be a problem for us? All across the province, people are setting fires. When it does happen, why are you having such problems identifying who and how?

**Mr. Kendall:** Arson is rather difficult to investigate, because if the perpetrator is successful the evidence is burned in the fire. I don't think we are having any more trouble in Toronto right now than we've ever had, to my knowledge. There have been a lot of prosecutions and convictions in the province.

**Mr. Breagh:** So you are relatively satisfied with the kind of investigations that go on and what happens afterwards?

**Mr. Kendall:** Yes, I am.

**Mr. Breagh:** Okay, one final question; are you prepared to make any movement toward that recurring problem of people setting off fire alarms? I appreciate I can't think, off the top of my head, of a good system to do it, but it does—

**Mr. Singer:** Capital punishment.

**Mr. Breagh:** Interesting suggestion, Vern; you should call Pierre and tell him.

It does seem to me that in a lot of public buildings, because there are pranksters, I guess, setting off the fire alarms regularly, they are thwarting the whole purpose of a fire alarm system. Is there any mechanism, a small device or some form of punishment, just short of the capital punishment that Mr. Singer espouses, that might alter that.

**Hon. Mr. MacBeth:** It's a police matter.

**Mr. Kendall:** I don't know of any device, first of all, other than putting the bell—

**Mr. Breagh:** Put them up where people can't reach them.

**Mr. Kendall:** It's a police matter, really, it's nothing to do with us.

**Mr. Breagh:** But you're not actively considering any alteration in the kind of devices you use or anything like that.

**Mr. Kendall:** No.

**Mrs. Campbell:** I would like to pursue this matter of materials that are transported, because I'm aware of the fact you alert the municipalities when you get that kind of information, and the firefighters are aware of it, but—

**Mr. Haggerty:** When they get it.

**Mrs. Campbell:** Pardon?

**Mr. Haggerty:** When they get it; often they don't get it.

**Mrs. Campbell:** Oh, I don't know that. From my experience in Toronto, they seem to be advised well in advance, although that may not occur everywhere else. You have this system of warning firefighters on the transportation of this material, but you don't, apparently, have any kind of surveillance about the dumping of this kind of material.

I know there are regulations about it but who is in charge of that kind of surveillance?

**Mr. Kendall:** I guess Atomic Energy of Canada Ltd., but we have no authority. As far as the province would be concerned the Ministry of the Environment would be involved.

**Mrs. Campbell:** It's just that there would be fire hazards in that situation as well as in transportation and I can't understand the dichotomy at all. I'm thinking of a specific case at one of our hospitals where they dumped some of this material. They certainly didn't follow the rules. That didn't save anybody from what could have happened had a fire taken place. I find, with respect, that this is all rather casual for something as serious as this.

**Mr. Kendall:** Our role, as I pointed out, is that when we are notified we notify the municipal fire department concerned.

**Mrs. Campbell:** Do you have any input on the training at the Toronto college, if that is what it is called now, for firefighters; either related to this case or in the highrise buildings problem.

**Mr. Kendall:** Not at the academy.

**Mrs. Campbell:** It's the academy now?

**Mr. Kendall:** Yes. We train officers at the Ontario fire college in Gravenhurst.

**Mrs. Campbell:** Oh, I'm aware of that, but you have no input in the Toronto training.

**Mr. Kendall:** No.

**Mrs. Campbell:** I see. Would you not think that might be a suitable place, since not everybody goes to Gravenhurst.

**Mr. Kendall:** They have a good training academy. So do several of the other larger departments. We go around and instruct the smaller departments; the volunteers and anybody who requests our training. I'm confident the Toronto training academy is a good one and well staffed.

**Mrs. Campbell:** I see. Now when we get to the question of the highrise buildings, I'm aware of what you're saying about the effort to limit the fire from spreading across buildings, but we've had one case in Toronto, not in a residential property but in a highrise office, where the fire did seem to spread and there was a fatality. This is some time ago.

Mr. Kendall: On Richmond St.

Mrs. Campbell: Yes. What is the situation? When I think of somebody in the Manulife complex on the 52nd floor, it's a little incomprehensible that they would be asked to walk all that distance down. Secondly, all of the warnings are: "Don't use elevators." I think people are inclined to say: "I don't know whether I want to die of a heart attack on the way down or whether I'll risk the elevator." There really isn't another way out for them if they have to get out.

Mr. Kendall: Hopefully, they'd never have to go more than one or two floors. With non-combustible construction we would hope they could stop it before it went any further than that.

Mrs. Campbell: What happened in that office building; was that different? Don't they compartmentalize too?

Mr. Kendall: The fatality was because the elevator was drawn right to the fire floor. I believe the captain got out right into the flames and couldn't get back. We never use the elevator. The firefighters use the elevator and go one floor below. But it didn't stop there, it went right to the fire floor. I believe that was—

Mrs. Campbell: That was because of the intensity of the heat?

Mr. Kendall: Right.

Mrs. Campbell: I'm sorry, I interrupted you. You were going to say something else.

Mr. Kendall: No. Did I answer your question? Was there something I missed?

Mrs. Campbell: No, I thought you had started into something else. That fire did spread though.

Mr. Kendall: It went vertically, up I believe; out through the windows and into the windows above, if I recall.

Mrs. Campbell: That certainly could happen in any apartment building couldn't it?

Mr. Kendall: Yes, it would still be compartmented. You'd only get it from one apartment to one other apartment.

Mrs. Campbell: You hope.

Mr. Kendall: Yes, I would hope.

Mrs. Campbell: Being in a riding with so many highrise buildings it is of concern to me. There are people who become very

alarmed when they hear the alarm bell, and it is true they don't know what they should do. Certainly when they're on a top floor and they hear that bell the very thought of having to walk down is pretty rough.

Mr. Kendall: We did a study with the Metro fire departments and the National Research Council and our office on the safety of living in highrise. One of the results of that study is that the safest place to live in Metropolitan Toronto is in a highrise apartment building.

Mrs. Campbell: From a fire point of view?

Mr. Kendall: From a fire point of view, yes.

Mrs. Campbell: You said just recently you didn't think that the incidence of arson had grown at all in the last little while?

Mr. Kendall: Yes.

Mrs. Campbell: Then it's just that we're hearing more about it; that's why we seem to come to a different conclusion?

Mr. Kendall: Yes. As the officers of fire departments are better trained they're detecting this crime far more than they used to. At one time many years ago, they weren't really interested in what started a fire but they are very interested today and they report it.

Mrs. Campbell: I find that strange, because I happen to have worked very closely with the firefighters in Toronto, particularly a deputy chief of the day, who was extremely concerned to find out why fires started. He had had 40 years with the department. So I find it strange that you would come to that conclusion. I was on fires with them when they were trying to investigate it.

Mr. Kendall: You're choosing one fairly competent, and big, fire department. As a general rule, when I started with the office many years ago—20 or 25 years ago—they weren't too interested in what started the fire. They were there to extinguish the fire.

Mrs. Campbell: Is it true today, as it seemed to be during the depression for instance, that the firefighters start looking even more closely at fires when times are rough?

Mr. Haggerty: I think it's the insurance companies, Margaret.

Mrs. Campbell: No, the firefighters.

Mr. Kendall: It's a part of their training, a part of their job, to determine the cause of



every fire they attend. They accept that today.

[4:15]

**Mrs. Campbell:** And do we find that people are using more sophisticated methods today to set fires?

**Mr. Kendall:** No, I think they were fairly sophisticated years ago. I don't think there is any change. I'm not naive enough to think we get them all. There may be some we haven't detected, I'm sure. But probably the straightforward way is the best way.

**Mrs. Campbell:** They seem to think you could judge the fire, not so much by the material but by the location, as to whether or not it had been set. Is that not so?

**Mr. Kendall:** Yes, there has to be some source of ignition nearby. If it starts in a place where there shouldn't be any source of ignition, I think you have to worry about cause.

**Mrs. Campbell:** Can you give us any idea of how many prosecutions there have been, say in Metro over the past year?

**Mr. Kendall:** I'm sorry, I can't give you Metro. I can just give you the province.

**Mrs. Campbell:** Okay, that's fine, the province—

**Mr. Gregory:** It extends beyond Metro, you know.

**Mrs. Campbell:** Yes, I know it does.

**Mr. Kendall:** Province-wide there were 382 convictions and 60 acquittals.

**Mr. Haggerty:** Mr. Chairman, I want to follow along the questions put forward by previous members. It relates to fire colleges, and I guess I was thinking of the college that used to be at Gravenhurst and is still there. As I understand it, the fire marshal has indicated that at Gravenhurst they train fire chiefs and, I guess, fire officers.

**Mr. Kendall:** Yes, officers. It is officer training.

**Mr. Haggerty:** What are the criteria now or does your office have any input to a municipality in appointment of a fire chief? Are there any criteria you have set or established for appointing a fire chief in a municipality?

**Mr. Kendall:** No, they do the appointing. They may ask us to assist in the examinations or to assist in holding examinations.

**Mr. Haggerty:** Well, say in a local municipality, would he have to have training at the fire college at Gravenhurst?

**Mr. Kendall:** The municipality may require this.

**Mr. Haggerty:** That is not your requirement at all?

**Mr. Kendall:** No.

**Mr. Haggerty:** And how effective are the colleges, say the Niagara college where they have a course in firefighting? How is that going?

**Mr. Kendall:** Niagara College?

**Mr. Haggerty:** Yes, Niagara College.

**Mr. Kendall:** I am sorry, I wasn't aware they had a course in firefighting.

**Mr. Haggerty:** Well, I guess it must be done by the Niagara district association.

**Mr. Kendall:** Oh, Niagara district firefighters? It is a weekend course and it is a very good one.

**Mr. Haggerty:** I understand they have one at the college which runs for a number of weeks.

**Mr. Kendall:** Is it fire protection?

**Mr. Haggerty:** Fire protection.

**Mr. Kendall:** I'm sorry, I don't know anything about that.

**Mr. Haggerty:** I was just wondering and questioned it, because I think you'd mentioned that the training takes quite a bit of time. A municipality could lose a man by sending him to the fire college at Gravenhurst, but sending him to a local fire college perhaps would be more convenient for a local municipality and more economical. It gives a person a chance to attend a course for perhaps one week out of a month, or something, instead of being away. I think at one time your courses at the college in Gravenhurst were—

**Mr. Kendall:** They were 22 weeks, now they are 15.

**Mr. Haggerty:** Fifteen. Well that is quite a time period for personnel from a fire department, to be away.

**Mr. Kendall:** They take it in five-week cycles.

**Mr. Haggerty:** Even five weeks is quite a bit. Many times a person has to take that five

weeks off himself; I am talking about a volunteer fireman, you know, in whom I have quite a bit of confidence. Hopefully, I thought there might have been some changes in that, where you could spread it out so they could attend the college for the special courses.

**Mr. Kendall:** You are referring to a course at a community college?

**Mr. Haggerty:** A community college, Niagara College; that is right, yes, I think it is sponsored by the Niagara District Firefighters Association. I think they were perhaps one of the first—

**Hon. Mr. MacBeth:** I am surprised we don't have a record of it. Do any of the other community colleges have fire courses?

**Mr. Kendall:** Seneca has a fire prevention course.

**Mr. Haggerty:** It could be fire prevention; it could be anything in the line of firefighting.

**Mr. Kendall:** I was totally unaware they had a course in firefighting at any of the colleges.

**Mr. Haggerty:** I think at one time they were looking for some assistance from your department—financial assistance, that is.

**Mr. Kendall:** Some years ago, we used to have two-week courses at the college for volunteers; and the truth of the matter was that we couldn't fill the college with volunteers, even with two-week courses.

**Mr. Haggerty:** But many of the municipalities now are broadening out into more paid firemen. Those are the ones who are attending the college and then coming back and passing on that information.

**Mr. Kendall:** Please remember that we just train officers at the college. Now we do go out and give 40-hour one-week courses in firefighting techniques.

**Mr. Haggerty:** Fire prevention and fire inspection officers, is one of your major courses at the college at Gravenhurst?

**Mr. Kendall:** Yes, five weeks of our course are entirely on fire prevention.

**Mr. Haggerty:** Have you given any consideration to codifications, of setting standard fire safety regulations? Often a fireman or fire chief will have to go to about four or five different ministries to pick out the regulations that apply to a certain ministry. Let's take the Children's Aid Societies, for example, and

foster homes for young children. I don't think it's under your regulations, but it comes under the Ministry of Community and Social Services. Homes for the aged are another one; and the Liquor Licence Board of Ontario has another set of fire regulations. There must be a number of them.

**Mr. Kendall:** Yes. Our technical services section is open to them; they're as close as the phone for advice, of course.

**Mr. Haggerty:** One of the problems fire chiefs have in policing the fire regulations is that there is some overlapping for different jurisdictions, as I mentioned before.

For example, there is the Liquor Licence Board. If you look at their fire regulations and the one the local fire chief has to go by under your regulations, there are night and day differences between them.

**Mr. Kendall:** As of January, we've had the new Ontario Building Code, which takes care of all new construction. The next thing on the agenda is the Ontario fire code. I'm not too sure how far we are away from it—two or three years—but it will take care of all the buildings that are already constructed.

**Mr. Haggerty:** In other words, that you'll have one fire code.

**Mr. Kendall:** For the province.

**Mr. Haggerty:** There will be one set of safety standards and for the province. You won't have the Ministry of Community and Social Services—

**Mr. Kendall:** The Hotel Fire Safety Act; yes.

**Mr. Haggerty:** —having fire inspection officers; and you won't have the fire inspection group under the Children's Aid Societies—and there are dozens of others. It seems there's so much red tape involved that when it comes to the local fire chief, who is the person who has the final say in the matter, there is no one set of rules for him to follow. I think the direction should come from your department for setting a standard.

**Mr. Kendall:** That's right. As I say, we have the Ontario Building Code, and we hope to have the Ontario fire code within two or three years.

**Mr. Haggerty:** So we can look forward to some amendments to it?

**Mr. Kendall:** It will be a whole new Act.

**Mr. Haggerty:** The persons who are responsible for fire inspection in municipalities will then have one particular book of rules to go by instead of a dozen?

**Mr. Kendall:** That's right, yes.

**Mr. Haggerty:** Good, I'm glad to hear that. The other matter I have concerns highrise apartments, particularly here in Toronto.

I have great praise for the Toronto fire department. From what I've seen of their operating procedures here in the city of Toronto, I understand they freeze all the elevators in a highrise apartment during a fire. The elevators stop functioning and the tenants are supposed to use the stairs.

**Mr. Kendall:** Absolutely; they don't use the elevator. But whether they can freeze all the apartment elevators in Toronto at this moment, I'm not sure.

**Mr. Haggerty:** In hotels they pretty well have control over them. But what happens when you have a complete power failure in these buildings? Sometimes it happens. It's pretty hard for a person to find their way out and down a staircase or a stairwell when the lights are out. I think Mr. Ruston, and Mrs. Campbell too, suggested perhaps there should be some type of a warning posted in each apartment.

**Mr. Kendall:** I couldn't agree more.

**Mr. Haggerty:** Warning tenants and setting out procedures in case of fire. In fact they should have fire drills in apartments now and then to keep tenants aware of procedures.

**Mr. Kendall:** It's pretty tough to have a fire drill in a 50-storey or a 15-storey building.

**Mr. Haggerty:** It's a lot tougher when you have a fire though—

**Mr. Kendall:** You give the rules, mind you.

**Mr. Haggerty:** —when everybody is trying to scramble out. I don't think anybody knows what to do in those particular instances.

**Mr. Kendall:** As far as being in darkness, of course there's emergency lighting in the new code for all highrises.

**Mr. Haggerty:** Is there anything different you are planning? Take stairwells, for example. I imagine if there's a fire at any level in a highrise apartment, that's probably an area that will fill up with smoke first. Are there any special ventilation systems that can remove the hot air that may develop in a stairwell?

**Mr. Kendall:** Are you talking about all existing buildings?

**Mr. Haggerty:** All existing buildings. What's the protection there at the present time?

**Mr. Kendall:** First of all, there are two separate stairwells; one at each end of the building.

**Mr. Haggerty:** That's right.

**Mr. Kendall:** We can't say they're all vented now.

**Mr. Haggerty:** You see, that could start a panic too, with anyone making an exit by stairs in a case like that. Maybe the only hope is having that old rope hanging in your room again.

**Mr. Kendall:** That's one reason for having two sets of stairs.

**Mr. Haggerty:** Do you have any stand-ards for fire prevention in industrial buildings? I'm thinking particularly of the serious fire at the Robin Hood flour mills in the city of Port Colborne not too long ago. There was a complete failure in their powerhouse, or power room, that was designed to supply them with an ample water supply for the upper floors of the mill. Once the power was out off there were no pumps running, and to my amazement there were no standpipes available. Do you have regulations that cover industrial fires requiring standpipes in the event of a complete power failure? Fire equipment could be used to put water up to the different floors, instead of the firemen trying to pull it up on sky-hooks?

**Mr. Kendall:** Industrial buildings?

**Mr. Haggerty:** Yes.

**Mr. Kendall:** No, there's no province-wide law requiring standpipes in industrial buildings. I'm told that the Ministry of Labour may have, but I'm not sure of that at all.

**Mr. Haggerty:** The what?

**Mr. Kendall:** The Ministry of Labour may enforce those rules.

**Mr. Haggerty:** You see, there's another difference there.

**Mr. Kendall:** I'm not sure of it.

**Mr. Haggerty:** There might come a time when the local fire chief may want to make



an inspection and he may not be aware that there is a fire code or fire regulation under the Department of Labour. Have you made a study on regional fire departments at all?

Mr. Kendall: No, we have not.

Mr. Haggerty: That's good news.

Mr. Kendall: We made two attempts but didn't bring it off.

Mr. Haggerty: Pardon?

Mr. Kendall: There's no public demand for it.

Mr. Breaugh: I've never heard it said better.

Mr. Haggerty: No news is good news.

Here's one for the minister to respond to. I think I did bring it to his attention. He was kind enough to write me a letter some time back, but it still left it hanging in mid-air. I would like to know who is responsible for locating lost persons? Is it the fire department, or the police department?

Hon. Mr. MacBeth: Mr. Haggerty, I recall the matter over in the Welland area, where the suggestion was that the missing person might be in the canal. The responsibility for locating missing persons is left primarily with the police. But as far as locating them in any one spot, in other words if the suspicion was that they were in the canal, then the local fire people would have the equipment to possibly locate them. But in that case, I don't think there was definite evidence as to where they were. It was a case of looking in the canal just on the suspicion that a body might be there. I think the local fire people said, "That's not our job. It's a police job to try and locate missing persons." I think you may have some information on that, Mr. Wilson.

[4:30]

Mr. Wilson: That was the drowning you're talking about?

Mr. Haggerty: I'm not singling out any particular incident, but there is a problem in the area of the Welland Canal. A number of persons are missing in it you know.

Mr. Wilson: In that particular case where the lads were suspected to be drowned in the canal, it was too dangerous to send in scuba divers. That was the main problem there, rather than the responsibility of finding the body. It was a danger to the people who were going to conduct the search.

Mr. Haggerty: I wasn't quite clear on it, because I think you ended up saying that it might even be the responsibility of the St. Lawrence Seaway Authority, which they do respond to very well.

Hon. Mr. MacBeth: Generally speaking, it is a police function to try to locate missing persons.

Mr. Haggerty: But in that area the firemen are called upon if a car happens to go in the canal. They're the ones who seem to be responsible. The police direct the fire department to pull them out usually.

Mr. Wilson: That's a mutual agreement they have down there between the police and the fire department.

Mr. Haggerty: I didn't know it was a mutual agreement. I thought they were just directed to do it.

Mr. Wilson: The firemen do have the dragging equipment and that's why they're called.

Mr. Haggerty: The firemen have no more equipment than the police. It's manpower.

The other point I wanted to deal with is the matter of carrying dangerous material along our highways. There have been a number of fires along the Queen Elizabeth Way with tankers carrying gasoline and oil and this always causes serious problems along the highways. I was just wondering if more direction should be given to the companies which carry the flammable material to carry additional fire extinguishers in the vehicles. Sometimes it could be controlled if they had the extinguishers right there with the truck, instead of waiting for the fire equipment to come in.

Mr. Kendall: I believe they are required to have several extinguishers.

Mr. Haggerty: They may have a 25 lb or 30 lb fire extinguisher there, but that isn't enough, and sometimes it is pretty demanding on a fire department to go out there. About the only thing they have is water and sometimes an oil fire can spread quicker with water than it can with a proper fire extinguisher.

Hon. Mr. MacBeth: Mr. Kendall, does our ministry have any authorization over a transportation of flammables on the highway? That's purely Transportation and Communications, isn't it?

Mr. Kendall: That's right, yes.

Hon. Mr. MacBeth: I'm not saying we shouldn't have, Mr. Haggerty, but—

Mr. Breaugh: Don't you set the standards though?

Mr. Kendall: No.

Mr. Breaugh: It's odd that the fire marshal's office would not set the standards for that.

Mr. Haggerty: They're carrying a double payload today, with the pup trailers they carry behind them, and boy that can be pretty explosive material.

Hon. Mr. MacBeth: I'm saying I'm not sure whether we should have a responsibility or not in connection with it, but as far as I know we don't have any responsibility. Those pup trailers have given us concern and the matter has been raised on many occasions in the Legislature, but it's Transportation and Communications which sets standards. Whether they consult the fire marshal or not, I don't know.

Mr. Kendall: No. They haven't.

Mr. Breaugh: Do they in fact set standards? I'm not feeling too safe at the moment, I'll tell you that.

Mr. Kendall: Yes, they have regulations, but I'm not familiar with them.

Mr. Haggerty: The regulations are on the size of the trucks and the loads they can carry, but I don't think they relate to the possibility of loss of life along the highways.

Mr. Kendall: Are you talking about loss of life from radioactive materials?

Mr. Haggerty: No, I'm talking about flammable materials—gasoline and oil and so on. There have been a number of accidents along the highways involving these.

Mr. Kendall: We're certainly not involved in the licensing of these at all. The fire departments do go onto the highway to extinguish these fires.

Mr. Haggerty: But again, when they pull over with their equipment they are at a disadvantage when they are fighting a gasoline fire in particular. The only thing they have is a small fire extinguisher. Perhaps some of them may carry 500 gallons of water in a tank truck, but they tell me water is sometimes not too successful in fighting gas or oil fires.

Mr. Kendall: The fog is, not the water.

Mr. Haggerty: This is right, but again, they can run out of 500 gallons of water in 15 minutes?

Mr. Kendall: I guess no more.

Mr. Haggerty: Then again you may have other cars involved too; and they may require that particular assistance as well.

Mr. Kendall: We have had no real problem that I can remember.

Mr. Haggerty: There have been a couple of serious ones on the Queen Elizabeth Way. There was one on Highway 403 just outside of Burlington or Hamilton; there was a bad one there within the last six months or so.

Mr. Kendall: Bad to the extent of property loss.

Mr. Haggerty: Has your office required any studies into the quality of material that goes into household furniture to see that it has greater fire resistance than perhaps—

Mr. Kendall: No.

Mr. Haggerty: You've never had any research in this particular field at all?

Mr. Kendall: No. There is a federal department responsible for that. Consumer and Corporate Affairs is responsible for that.

Mr. Haggerty: You wouldn't have any input in this at all? We were talking about highrise apartments, and you know the construction of these buildings today is pretty well fireproof. You said that they were about the safest. But it's the material that is inside that apartment building I'm concerned about.

Mr. Kendall: When you say do we have any input, we have input on committees. We have not direct responsibility for this.

Mr. Haggerty: Many synthetic fibres that are used, particularly the plastics, are highly flammable and put off quite a deadly gas too, that perhaps is more deadly than the fire itself.

Mr. Kendall: That is the fire, I guess. It's not the building that is burning, it's what is in the building.

Mr. Haggerty: Has any research been done in this particular field that you are aware of?

Mr. Kendall: Yes, there is always research going on at the NRC.

Mr. Bateman: There is continuing testing going on at the National Research Council

on the combustion products, plastics, and their toxicity, and it is working with the product safety division of Consumer and Corporate Affairs. It is continuing. It started some years ago, perhaps five or six years ago, and it's a very sophisticated line of investigation.

They are continually amending their conclusions and comparing the toxicity of various types of plastics and how they can be flame retarded. We don't get directly involved in this except, as the Fire Marshal said, we do serve on committees through the National Fire Code that allows us to have an input.

**Mr. Haggerty:** How up to date is the NRC in the particular field of fire prevention?

**Mr. Bateman:** They are testing the type of furnishing that is on sale down on Danforth. They are up to date. They are recognized as being, if not the best, certainly one of the best fire research organizations in the world.

**Mr. Haggerty:** You wonder how that auditorium down at the Olympics got away then, wouldn't you?

**Mr. Bateman:** That one must have been an exception.

**Mr. Haggerty:** I imagine there are quite a few exceptions when it comes to something like that, but I mean it happened there and it can happen here too, in the Province of Ontario.

**Mr. Bateman:** We don't allow that sort of thing to be built in Ontario.

**Mr. Haggerty:** Some of that material might be used in apartment buildings too, you know, or other types of buildings, commercial buildings and so on.

**Mr. Bateman:** No, nothing really comparable to that. That was a straight acrylic plastic building and there is nothing really comparable anywhere near that size that is permitted to be built in Ontario.

**Mr. Haggerty:** Have you got any orders out to ban such material in the Province of Ontario?

**Mr. Bateman:** The Building Code effectively does ban it. You see, Expo was exempt from most Building Code provisions.

**Mr. Haggerty:** Now you are going to tell me any government building that is going to be erected is going to be exempted. We could have this in government buildings then.

**Mr. Bateman:** No, I am not going to tell you that at all about Ontario. What they do in Montreal is something different.

**Mr. Haggerty:** No, but it usually runs concurrent with Ontario, that the exemption is allowed for a government building.

**Mr. Bateman:** No, that's not the way that we've enforced the law here as far as fire requirements are concerned.

**Mr. Haggerty:** I'm delighted to hear that.

**Hon. Mr. MacBeth:** Mr. Chairman, coming back to stuffed articles, upholstery, things of that nature. Our own Ministry of Consumer and Commercial Relations has an Act, the Upholstered and Stuffed Articles Act. It spends quite a bit of time examining the materials in the various products, both produced in Ontario and those that are imported from outside Canada.

Some of the materials that are coming in from outside of Canada in these articles, particularly in childrens' toys, are very deplorable sorts of things. Some even have vermin in them, or are sometimes left with pins and needles in them—and all that type of thing.

I think our ministry does a pretty good job—and when I say "our" ministry, I'm thinking of Consumer and Commercial Relations—in examining and controlling that type of thing. They look at it, of course, for fire hazards as well.

But one of the concerns is that they depend on the federal customs people to enforce their regulations. I think there's a problem of whether they have the power to do it or not. The customs people are co-operating, and if they are told certain items are dangerous, then they ban them. But we would like, because of transportation even across provincial lines, that when it comes to furniture and stuffed articles the federal government would be a little more active in it. Now when I say that, we've had co-operation from them, but we think the proper control should be at the federal level rather than at the provincial level.

**Mr. Haggerty:** What has your ministry done on this matter of aluminum wiring in housing?

**Hon. Mr. MacBeth:** Aluminum wiring?

**Mr. Haggerty:** Yes. I've raised this matter on different occasions here in the past. I know the reply from Ontario Hydro was that before going to bed at night, if you have



such an installation in a house, why make sure you check the outlet. If there's any discolouring around it, touch it and see if there's any heat from it. And if there is such a thing call the fire department or something like that.

**Mrs. Campbell:** Move out.

**Mr. Haggerty:** But if you don't see anything like that, or smell any odour from it, then you can go to bed and rest in peace.

**Hon. Mr. MacBeth:** They tell me that aluminum wiring is quite safe if properly installed. I understand that if you get some amateurs working on it, there might be some hazard; and I'm not satisfied with that position on it. I've had some discussion in connection with it. It's a case of experts knowing what they're doing; but occasionally you'll get the amateurs fooling around with it. And that can happen in anything, I suppose.

**Mr. Haggerty:** What do you mean by amateurs? I thought all—

**Hon. Mr. MacBeth:** Somebody like yourself, for instance; or myself.

**Mr. Haggerty:** I don't touch electricity.

**Hon. Mr. MacBeth:** You might try to install an electric light fixture and, as I understand it, cross your aluminum wiring with some other kind of wiring and get some of the heat effects you're talking about. But installed by experts who know what they're doing, I understand it's no problem.

**Mr. Haggerty:** They tell me it's the receptacles; if it's not connected right, that's where the problem is. It could overheat and could work loose. I don't know, but this is what some electricians tell me. There apparently are difficulties even after that and these wires could become loose. There's a certain amount of expansion in it, I guess when the current is going through it and when it cools off the bolt, or the apparatus that's holding it down, could slip through.

This is what the electricians tell me. They're not too happy working with it. They'd sooner work with copper material as it is a lot safer. But I guess maybe the cost is a little higher.

As you mentioned, it's the difference of the two metals that may cause the problems, too, with electric current passing through it.

There has been enough interest shown in it in the last two or three months that perhaps there should be a thorough study done

instead of just taking Hydro's word for it. I don't know what research they've done, or if anything's been done at the Ontario Research Centre or not; I'm not aware of it.

**Hon. Mr. MacBeth:** I understand there's no evidence of any fire in Ontario started from aluminum wiring. Mr. Kendall, you probably have more on this.

[4:45]

**Mr. Kendall:** Yes. We've broken down our electrical fire causes since April 1, and we've only had one fire reported as having been caused by aluminum wiring as compared to 356 with copper wiring. Obviously, there's a lot more copper wiring. We've made arrangements to investigate all fires reported to us as caused by aluminum wiring. This one was investigated, and it was an improper connection between the copper and aluminum wiring.

**Mr. Haggerty:** Was this a new home?

**Mr. Kendall:** No, it wasn't a new home.

**Mr. Bateman:** It was an industrial building.

**Mr. Singer:** I'm interested in the section on uniform building codes, and this fire code that you say is coming. When is the fire code coming?

**Mr. Kendall:** We estimate between two to three years.

**Mr. Singer:** Does the uniform building code provide for alarm systems in highrise buildings?

**Mr. Kendall:** Yes.

**Mr. Singer:** Does it give specifications?

**Mr. Bateman:** It's basically a performance type code, but it does specify a number of stations, audibility of signals, the type of system, supervised, that has a current flowing through the circuits at all times to make sure it's working—that sort of thing.

**Mr. Singer:** The current flowing through the circuit—does it specify an electric system or is a hand-operated system allowed?

**Mr. Bateman:** No, I think you mentioned highrise buildings, so it would have to be electrical.

**Mr. Singer:** There was a fire in an OHC building in my riding a number of years ago, and it took me the better part of three years to convince OHC to replace a hand-operated

system with an electrical system. I hope they've done that universally through OHC buildings. Would you know?

**Mr. Bateman:** I imagine OHC follows the Ontario code. I think they would have to. Certainly, for all highrise buildings they do require an electrical system. I don't know how they got away with it even four or five years ago, whenever it was. They require it now for any building occupied by more than 10 persons, or any building more than three storeys.

**Mr. Singer:** More than 10 persons?

**Mr. Bateman:** More than 10 persons, with exceptions. It gets a little complicated. If you have direct access to the exterior from all suites, then you can get away without a system.

**Mr. Singer:** If you had three apartments, you would probably have more than 10 people—so you would need something like that.

**Mr. Bateman:** Right.

**Mr. Singer:** What about the existence of hand-operated ones? In the buildings I'm thinking about, we had hand-operated ones. I guess the kids would come along and ring them at all hours of the day and night, and then the adults would follow them up and jam them with paper so they wouldn't ring at all. Then we really had no fire alarm system at all, which was discovered after we had a fire. Is there any system of checking by anybody to see that these things work?

**Mr. Bateman:** Usually you can see the paper sticking out around the edges. This problem is not peculiar to hand-operated ones. They can do it on electrical systems as well. The only system is fire department inspections. Unfortunately, it's quite a heavy workload for fire departments to get around to these on a reasonably frequent basis.

**Mr. Singer:** Does the Fire Marshal check on fire department inspections?

**Mr. Bateman:** No, we just compile the statistics each year.

**Mr. Singer:** So you have no idea whether fire department X, Y or Z is doing appropriate inspections?

**Mr. Bateman:** No.

**Mr. Singer:** What about standpipes and hoses and hand extinguishers—is that again fire department inspection?

**Mr. Bateman:** As to whether they're in working condition, yes. As to whether they are installed, it could be a building department or a fire department. The fire department checks the extinguishing charge and that the hoses are not rotting.

**Mr. Singer:** But, again, there is no Fire Marshal's check on the fire department's inspections?

**Mr. Bateman:** No.

**Mr. Singer:** I notice you had something in here about specifications of fire trucks. Do you specify the size of extension ladders, depending on the type of municipality or how many highrise buildings there are?

**Mr. Kendall:** No, if they ask for our advice on drawing up specs for a truck, we'll assist them. There are no standard specs in this province.

**Mr. Singer:** So it really doesn't matter how tall the buildings are? As far as your people are concerned, it's up to the local department or the local council to determine what kind of equipment they're going to have and then you'll give them specs if they ask for them?

**Mr. Kendall:** If they ask for assistance in drawing up specs, yes.

**Mr. Singer:** I was interested in your comment about advising regional governments. How about Metro? Do you advise Metro on whether or not it's efficient to have six fire forces or perhaps to have one?

**Mr. Kendall:** No.

**Mr. Singer:** You won't get into that?

**Mr. Kendall:** No, we only give our advice if we're asked.

**Mr. Singer:** I see. Have you ever done a study as to the efficiency of an amalgamated fire force in Metro?

**Mr. Kendall:** No.

**Mr. Singer:** I think your predecessors perhaps did, in 1957 and 1958 when there was some talk of this. A few of us on the Metro council at that time—I don't think the minister was on it then—though it might be a good idea to have one fire force and there was a Fire Marshal's report. Have you ever had occasion to study what Metro council was talking about that time?

**Mr. Kendall:** No, and I was certainly around the office and I don't remember any study.

**Mr. Singer:** I think we had somebody down to that committee, and there were a few voices crying in the wilderness that maybe it would be a good thing if they had one fire force, but the city of Toronto didn't like it so I guess it died at that point. That's not your responsibility, you feel, and you're not going to really do anything about it unless somebody directs you to do it or asks you to do it?

**Mr. Kendall:** That's right.

**Mr. Singer:** Fine.

**Ms. Sandeman:** I would just like to briefly return to the discussion we were having about the part played by your department in conjunction with the NRC in looking at the flameproofing of materials and so on. The tables you have here and the comments you have on them suggest your concern with the high number of fatalities where sleepwear or bedding is concerned. Are you putting any pressure on the federal people who are making the standards to ensure maybe that, at the very least, children's sleepwear would be of flameproof or flame-retardant material?

I believe in some European countries now they've got very aggressive public education systems about the wisdom of buying flameproof sleepwear for children. There is a tag on it which has the laundry symbols and also has a symbol showing that the materials are fireproof. I'm almost sure that in Britain, in fact, it's now mandatory for children's sleepwear to be of flame-retardant materials of a certain specification. That may be because more homes in Britain have open forms of heat, but a lot of houses in Canada in the winter have floor furnaces or open fires, and children often play with matches and so on. I know you can't make the standard but—

**Mr. Kendall:** Yes, we're not, as you say, putting on pressure. We certainly bring—

**Ms. Sandeman:** I notice you express a concern here.

**Mr. Kendall:** Yes, we bring it to their attention in all of these cases. We notify them of any problems as we see them.

**Ms. Sandeman:** Do they respond?

**Mr. Kendall:** Yes, they respond.

**Ms. Sandeman:** With action?

**Mr. Kendall:** Yes, I think they are responding pretty well this last year or so.

**Ms. Sandeman:** Good. What kind of response has there been? Are they moving

towards a national code for safety for children's sleepwear for instance?

**Mr. Kendall:** Yes, they're controlling that by standards.

**Mr. Bateman:** They do have federal regulations on children's sleepwear. It has to meet certain standards of flammability.

**Ms. Sandeman:** Or inflammability?

**Mr. Bateman:** Yes. I think it's more flammability. It means that it doesn't burn quite as fast as some of the most hazardous products that were previously available, but it is still flammable, of course.

**Ms. Sandeman:** The other thing I wanted to ask—and I'm not sure if I should discuss it with you or with the police department—it concerns arson cases. It seems to me there are probably two broad categories of arsonists. In one, you would put the guy who wants to get the insurance, or the malicious kind of arson where the fellow is drunk and he wants to get back at his buddy and so he thinks it would be a neat idea to burn his apartment or something; in other words, probably a one-off kind of arson. Then in the other kind you have the psychotic or mentally sick person who sets seven or eight fires until the police catch on to who's doing it.

I am wondering if you've got any statistics, or perhaps the police keep this kind of record, of what happens in cases where the people are caught, there are convictions, and normally for a serious arson charge a prison sentence is given by the judge. I'm wondering what kind of success rate there is in the deterrent factor of the prison term, not for the fellow who wanted to get the insurance—probably he is not about to do it again—but for the neurotic-psychotic types. Are we having any success with preventing them being arsonists?

My concern particularly is the kind of input you would have into the rest of the justice system. You probably know that most of the arsonists in Ontario, if they are sent to a provincial jail, go to Millbrook. They sit there for up to two years as arsonists and it is my conviction that they come out again as arsonists. You are rid of them for two years but then there they are again. Is there any kind of follow-up on the incidence of whether they, in fact, are sent there again.

**Mr. Kendall:** No, I have no statistics on that.

**Ms. Sandeman:** Maybe I should speak to the police about that. Am I right in thinking



there are two kinds of arsonists; the kind with criminal intent and then the mentally unbalanced?

**Mr. Kendall:** Yes. Where the motive is fraud, they burn down for the insurance as opposed to another motive. There are a lot of fires set by children as a prank.

**Ms. Sandeman:** Yes, I guess that is a third category. I notice that you commented, too, in your statistical analysis on the number of cases of fire deaths where alcohol is involved. I would imagine that in many of the prank fires you have children or young people who are under the influence of alcohol. We certainly had one in Peterborough, where some children set fire to part of their school and were afterwards discovered to have been incredibly impaired by alcohol.

**Mr. Kendall:** Where we talk about alcohol with deaths, this means they are impaired by alcohol and couldn't get out.

**Ms. Sandeman:** Couldn't get out of bed, yes. So you get the kind of thing we had in Peterborough where there was a fire where arson was suspected and the only fatality was one of our well-known winos, who obviously was sleeping too soundly, poor fellow, to make it out of the building.

**Mr. Kendall:** Right.

**Ms. Sandeman:** What kind of liaison do you have with police departments and other parts of the justice field that we look at as a committee to try to prevent arson? There must be some preventive measures going on. I know it is an incredibly difficult and complicated field.

**Mr. Kendall:** We work very closely with all the police departments across the province. I believe as far as arson is concerned, apprehending is the best way.

**Ms. Sandeman:** I suppose, yes. If you see a guy who just renewed his insurance policy tippy-toeing in with a can of gas, you send a cop in after him?

**Mr. Kendall:** We come along after the fact.

**Mrs. Campbell:** One thing that bothered me at the city when I was there was to find out that Consumers' Gas had no outside cut-offs, so that the firefighters usually tried to get the Consumers' Gas there, and they moved very quickly, but they were facing that kind of danger in the midst of a fire, going in to try and get the gas cut off. What

we did was to give Consumers' Gas a year to put in all outside cutoff valves in the commercial-industrial areas, because that's really where the greatest danger was. Do you have any input into that kind of situation? Is it common across the province that the cutoff valves would be inside the buildings?

[5:00]

**Mr. Kendall:** No, I'm sorry, the energy safety branch of Consumer and Commercial Relations enforces that. I don't know if it is a widespread problem. Sometimes you'll get valves paved over and this type of thing.

**Mrs. Campbell:** You know, Mr. Minister, if I may and then I'll stop, but it seems to me that when we try to come to grips with things that relate to fire safety, the safety of the firefighters as well as the safety of the public, it all seems to be dissipated into 67 varieties of ministries, departments, jurisdictions and the rest, and I do feel that something ought to be done to try and bring some of this control into this ministry.

**Hon. Mr. MacBeth:** I agree, Mrs. Campbell. One of the problems, of course, is if you are dealing with the estimates of one of the other ministries then they will say here it is dissipated between police or fire or somebody else. Generally speaking, this ministry is in charge of public safety and, coming into it recently as I have done, I feel that same kind of frustration in some of the problems that have been discussed here today, particularly when you are talking about building codes and fire codes.

You have the same problem with inspection of tourist establishments, between the fire department, the health department and the Industry and Tourism people; all of them have legitimate interests, as you recognize, and if you are dealing with the other estimates you would say well surely if you are talking about tourist establishments you should have some control of the safety in those tourist establishments. But public safety being such an important, overriding responsibility, as I see it, the responsibility should be here and that is what we are trying to do in many of the fields, particularly with inspection.

You talked about fire inspection and the Fire Marshal. I don't know which came first, as far as the first officer was concerned, but assuming that the city of Toronto, for example, had a pretty good fire department long before the Fire Marshal was much of an organization at all, and as a

result, you are surprised that we don't go into the city of Toronto and tell them how to do certain operations. I suppose all the way along they have had more expertise and certainly more personnel than we have had.

That is one of the things that as the Solicitor General's ministry develops we must assume and take over more responsibility for a uniformity across the whole province of some of the things that places like Hamilton and Toronto have enjoyed for years. I find that same frustration.

**Mr. Haggerty:** Mr. Chairman, I want to deal with the question of discrimination in employment in the particular field of fire-fighting in the Province of Ontario. I think you are aware of the Ontario Human Rights Commission being asked to make a decision. Are there going to be any changes in the regulation requiring firemen to retire at the age of 60? Is it still going to remain at the age of 60, or is it going to be maybe to 62 or 65 or something like that? There's five years lost salary or income to that particular person who has to retire at the age of 60. He cannot receive Canada Pension Plan and some of them have only been paying into OMERS perhaps for 10 or 12 years, and it's really a loss of income to this particular field of employment.

**Hon. Mr. MacBeth:** It's really a conflict of group desires and wishes over individual desires and wishes. Over the last two or three years I have felt that in the interests of the community and the fire groups collectively that it's a good thing for them to retire at the age of 60; that in the interests of the work that firemen are called upon to do and the risks involved it is a good thing. When I was Minister of Labour an amendment to the Human Rights Code was brought forth, saying, in effect, that if working conditions were one of the criteria for establishing whether a person could do a job after age 60, then it was a right thing to look at and they could say: "All right, you must retire at 60."

I thought the legislation that we brought forward at that time would cover that. However, the Human Rights people have their own solicitor and he put his own interpretation on it. The case was taken to court where it was said that the individual right stands out over and above that and he doesn't have to retire at 60 but can go on to 65. I'm carrying on some correspondence at the present time with the present

Minister of Labour trying to get this matter clarified.

As I say, it was a conflict between the Human Rights Code and the attitude that if a person wants to work up to 65 he should be able to, and the collective responsibility, where I think it's unfair to ask a municipality to hire, or at least, to employ people past an age where perhaps they cannot be as effective as they once were.

**Mr. Haggerty:** There is another movement the other way, where other municipal employees feel that they should be able to be pensioned off at the age of 60 too. That thing is going to mushroom and it's going to be quite an expense to the municipality in the long run if persons are going to be pensioned off at the age of 60. Unless there is some increase in Canada Pension or other pension plans to offset that cost to the municipality, I think we're going to run into further difficulties.

**Hon. Mr. MacBeth:** It seems to me that it's a legitimate factor to take into account, when you're asking a person to fight a fire, whether he thinks he can fight it between 60 and 65 or not. I think most of the fire organizations take that same attitude, that they should be allowed to set up their pension plans for aged 60, and that, as Solicitor General, is the basis I'm proceeding with. I'm running a little problem with the Human Rights Commission as such.

**Mr. Haggerty:** Perhaps the Human Rights Commission should have acted upon another one that a number of volunteer firemen and firemen are a little bit put out about and not too happy with, and that is the long-service medals, particularly as it relates to firemen. They have to have 30 years' service in the fire department, while a policeman gets it after 20 years. It's a silver medal I believe for long service. I thought there should be some change in the thinking of the Fire Marshal and the minister, that you should have a standard of 20 years for both. They do excellent work, as it relates to human safety. I think they should be treated alike.

**Hon. Mr. MacBeth:** The point is well made, sir.

**Mr. Bullbrook:** Would it be possible to ask a question for my own clarification?

**Mr. Chairman:** Rising directly out of his comments?

Mr. Bullbrook: Yes.

Mr. Chairman: Go ahead.

Mr. Bullbrook: I didn't realize, sir, that the Human Rights Code regarded as discriminatory, with respect to hiring in relation to age discrimination, that 65 is a magic terminal date. Is it?

Hon. Mr. MacBeth: I think so. It says you won't discriminate on the basis of age, sex, religion, etc. I don't know why you say 65. Yes, I think there is something in there.

Mr. Bullbrook: Is there something in the statute?

Hon. Mr. MacBeth: I think it mentions 65. Now I'm not sure on that.

Mr. Bullbrook: We've really gone a long way to establish a basic human right and terminate that human right at age 65.

Hon. Mr. MacBeth: Am I wrong? Does it mention 65? They're saying that I'm wrong.

Mr. Wilson: No, you're right. I think it does.

Hon. Mr. MacBeth: Oh, I'm right.

Mr. Wilson: I think it is that you can't refuse to hire after the age of 40 or some such figure as that, and then they interpret that as saying that you can't reject employment at 60 if other people are going to 65. That's the way it gets in.

Mr. Bullbrook: I think you've got the thrust of my remarks in any event.

Hon. Mr. MacBeth: The human rights in one sector are terminated at a certain point in life.

Mr. Breaugh: I have a couple of quick questions. Why are there, at least to my knowledge, no women firefighters in Ontario? Or are there?

Hon. Mr. MacBeth: I don't think there is anything to stop them other than perhaps—

Mr. Breaugh: Perhaps the ads say "young men."

Hon. Mr. MacBeth: I don't know whether they say "young men" or not. I don't think there's anything to stop local firefighters' commissions hiring them.

Mr. Breaugh: Are there any?

Mr. Kendall: Yes, there are.

Mr. Breaugh: How many?

Mr. Kendall: Brantford has. Mind you, they're using them for specific jobs.

Mr. Breaugh: For example?

Mr. Kendall: On the switchboard inspections.

Mr. Breaugh: For cooking meals in the fire station and mopping the floor.

Mr. Kendall: I am told, and I don't know this myself, but there is a woman captain in the Muskoka district somewhere.

Mr. Breaugh: How many women are graduates from your fire college in Gravenhurst?

Mr. Kendall: None.

Mr. Breaugh: None?

Mr. Kendall: No applications.

Mr. Breaugh: In Metropolitan Toronto, how many women firefighters, as opposed to switchboard operators?

Mr. Kendall: I don't know if they have any at all. To my knowledge, they have none.

Mr. Breaugh: I was watching a television programme last night showing Marine recruitment in the United States and their training programme. Chauvinist that I am, I had always assumed that maybe a logical reason for not having female firefighters is that there might be occasions when physically they couldn't do the job. I totally defeated myself by reminding myself that we have women police officers, and was utterly destroyed by the kind of training procedures I saw them putting female Marines through. It occurred to me that—

Mr. Singer: But did you notice that they wouldn't put the female Marines into battle?

Mr. Breaugh: I did note that; but it struck me at the time that if I were on the other end of that M1 rifle I saw the ladies firing so accurately, I would have one hell of a time deciding why they couldn't be there. So in essence then, there really aren't any women firefighters for all practical purposes?

Mr. Kendall: No, not to carry people down ladders. At least there are none as far as I know.

Mr. Breaugh: I want to deal with the matter of compensation. It happens that in my riding I did have one fellow who assisted at a fire and was injured. Now subsequently



he lost salary. Now mind you, he got all kinds of commendations and medals from everybody else. But he was injured in the fire and was off work eight weeks, and was told that he couldn't get compensation from the Workmen's Compensation Board. And yet if he had gone to the assistance of a police officer, as opposed to a fireman, he would have gotten compensation.

Is there any consideration being given—and this question should probably go to the minister—to offering some form of compensation to civilians who are injured in the course of either helping a person in a fire or actually helping with the firefighting?

**Hon. Mr. MacBeth:** No, the problem hasn't come to my mind before. I don't know whether it has come to the ministry's attention. You're thinking of payments like those made by the Criminal Injuries Compensation Board?

**Mr. Breagh:** If somebody goes to the assistance of a police officer and is injured in that particular instance, he has recourse to the Criminal Injuries Compensation Board. He can get some financial restitution. But as a matter of fact, it happens all the time that someone either goes into a fire before the firefighters themselves arrive and is injured; or goes to the assistance of firemen trying to do their job and is injured—and there is no compensation for them. And this gentleman I mentioned has tried to receive compensation, I believe.

**Hon. Mr. MacBeth:** Workmen's Compensation didn't apply, because he wasn't employed for that type of work.

**Mr. Haggerty:** Or he wasn't directed to assist by a person in authority.

**Hon. Mr. MacBeth:** It's a good point. I don't know why there shouldn't be. Mr. Deputy, can you grab a microphone and tell me what you know about it. Have we made any suggestion or has there been any discussion on it?

**Mr. Russell:** It's a new point with me, Mr. Chairman. I never heard of it before.

**Hon. Mr. MacBeth:** I don't know why there shouldn't be.

**Mr. Russell:** I can't see any reason for not doing it.

**Mr. Breagh:** It did strike me that each time a fire occurs and somebody who happened to live in the neighbourhood, or

was passing by, goes in and tries to help, he's really making himself particularly vulnerable—as opposed to the situation, which seems very similar to me, with somebody who is helping a police officer carry out his duties.

But in this case—and we researched it as far as we could go—there is no known compensation for them. It would seem to be only rarely someone is actually injured helping out, and so the claims would not be that much.

No one seemed prepared to do anything for this man. He wrote to both the federal government and provincial government. By the way, and this I find particularly disgusting, all of them were very happy, in fact anxious, to present him with certificates and awards and medals. He has shown them to me. He's got all those things, but he lost two months' work and suffered some rather severe burns in the course of doing what he did. But nobody was prepared to offer him any compensation after that. That's one small point—although I don't think it is a small point for him—but it might be small in terms of the number of cases which you have to deal with. I would like the minister to kind of take that situation into consideration.

**Hon. Mr. MacBeth:** All right, Mr. Singer is always asking what the Justice policy field does. We'll take that job on.

**Mr. Singer:** Good. There are several meanings on that one.

**Mr. Haggerty:** But I think he is covered under Workmen's Compensation, if he is directed by an officer of the municipality to assist.

**Hon. Mr. MacBeth:** That could be.

**Mr. Haggerty:** I'm sure that is in the Act now, under Workmen's Compensation.

[5:15]

**Mr. Breagh:** Except that means that he'd have to stand around and wait for some fireman or policeman to direct him to do it. And that happens to be the kind of situation where that's not a practical solution.

Could I ask a question of the minister on a matter of volunteer firemen and the Workmen's Compensation Board, and we did some investigation of this? There seems to be an insurance programme offered to municipalities at rather good rates so that in those areas where they have volunteer fire departments they can pick up insurance. But I'm also told that the volunteer fire departments are not covered by the WCB per se, and

that not all municipalities have taken it upon themselves to avail themselves of this insurance policy. Is that right or wrong?

**Hon. Mr. MacBeth:** I understand it is available, but I don't know how many do or do not use it.

**Mr. Kendall:** It's news to me if they are not covered by compensation. I thought they were.

**Mr. Breagh:** But these are volunteer firemen.

**Mr. Kendall:** Yes, volunteer firemen.

**Mr. Breagh:** Yes, they used to be covered by the Workmen's Compensation Board.

**Mr. Kendall:** Yes, and they are today as far as I know.

**Mr. Breagh:** I'm told by the deputy fire chief in a neighbouring municipality, which is very proud of its volunteer fire department, that they are not. In fact, they had to go to an insurance scheme paid for by the municipality. That was his version of the story, and that was one part of it. The second part was, of course, that he was having some difficulty getting industry to let people off who were volunteer firemen. They were restricting the number involved.

**Hon. Mr. MacBeth:** I understand there was protection for volunteer firemen under the Workmen's Compensation Board scheme, and that most municipalities took advantage of it. Quietly—I don't suggest you do it publicly—but if you give Mr. Wilson the name of that municipality, we'll follow it up for you.

**Mr. Haggerty:** Some municipalities do carry their own compensation, but they work it with assistance from the Workmen's Compensation Board. It is based on the decision of the Workmen's Compensation Board.

**Mr. Breagh:** Yes, and there are obviously some problems in procedures. It is different than being injured working in a plant, and going through the compensation process that way.

I want to point out to one of the not so small considerations for somebody in that situation. If you were working in a unionized plant, you would have the assistance of the union in getting you compensation. But you are a volunteer fireman, you might be exactly the same guy working either inside the plant or outside on a fire, and you would lose con-

siderably. Because chasing the compensation board around is not an easy job.

I wonder as a final request could I—and I don't quite know how to phrase this either—could I see whatever material you've got, whether it might be a list or a report, or whatever, on the location of radioactive materials? I would like to pursue that a bit, but I don't want to take up the committee's time now and delay this vote.

**Mr. Kendall:** I have nothing with me here.

**Mr. Breagh:** No, but could you send that to me.

**Hon. Mr. MacBeth:** He's not asking for anything confidential, is he?

**Mr. Breagh:** I would just like to have some indication of what that department does. It strikes me that I have accepted the wrong concept of what you're doing there, and I'd like to straighten that out if I could.

**Mr. B. Newman:** First, I would like to commend the staff for taking care of the problem that I had in my own community when I requested that they provide radiation monitors. I contacted the ministry, and within three hours everything was completely settled—and it was really appreciated by the fire department back in the city of Windsor.

I wanted to bring another item to the minister's attention, and that is an article that appeared in newspapers last Saturday. I would suggest to the ministry that they get a copy of it, or maybe I'll leave them my copy so they can read it. Your own fire marshal for the counties of Essex and Kent made mention that 60 per cent of all fires in the county are deliberately set. That is an abnormally high figure, in my estimation.

I'm just wondering if there isn't a need for something similar to what is being used in some of the centres in the US, where they have a branch of the fire department that is called the arson squad.

After five years of experience, firemen are specifically trained to be able to pick out the number of cases of arson and assist a fire marshal before he actually arrives at the scene of the fire. For example, in one of the incidents in the community it was 26 hours before the fire marshal was able to arrive. That was in the case of the fire at a Chrysler auto plant. It amounts to sort of a specialty squad developed in the fire department. You can't do this for all municipalities, but for the bigger municipalities I would say you could come along and implement this scheme. The city of Detroit uses it and has

been able to catch the greater majority of those who are involved in arson.

In the case of the Chrysler, with \$500,000 damage done to the plant, some of the comments were that they actually saw individuals run away from the scene of the fire shortly before the fire burst into the point where it was uncontrollable. I will give this to the ministry officials. Look at it and see if the scheme that is being used in some of the other centres could not be applied to an Ontario situation.

**Mr. Kendall:** The firefighters and the officers of the fire departments in this province are trained to detect incendiaryism—arson, if you like—but they don't investigate it. That's up to the police and ourselves to do that.

**Mr. B. Newman:** To me they should go a little further, because by the time your fire marshal gets down to the scene of the thing it may be all too late, whereas you could have the specialty squad in the city. It doesn't have to be a large number of individuals; it could be several individuals or any number of individuals.

For example, in Windsor last year there were 478 fires that involved building structures and a property loss of over \$5 million in total, yet the fire department itself was called out over 5,000 times. Most of those calls were actually grass fires, which are common throughout all parts of the province. The number of fires involving various buildings and structures was 478; that's 1.5 a day. Whether it's abnormally high or not, I'm not able to say.

**Mr. Kendall:** We've considered this arson squad concept several times. We feel the firefighters and officers should be able to determine the cause of the fire, but they're not investigators. We much prefer that to be left to the police and ourselves.

**Mr. B. Newman:** The article says there is no full-time arson squad working in Windsor. Maybe we need something like that, some individuals trained specifically for this purpose.

**Mr. Kendall:** Specifically to determine the cause of the fire?

**Mr. B. Newman:** Yes.

**Mr. Kendall:** Many of them are trained, I can assure you.

**Mr. B. Newman:** I can't argue with you on this.

**Mr. Kendall:** We've carried out the training. I know in the last year we sent down some people; I think the chief of our investigation section was down training them, and any of the officers who have been to the college have received this training.

**Mr. B. Newman:** Here's another comment made: "An arson squad might be the ideal situation if we had unlimited manpower, but we don't." This is a comment from the chief of police in the community, so maybe there is the need for something extra in bigger centres.

**Mr. Wilson:** Let us have a look at that article.

**Hon. Mr. MacBeth:** Have you any comment on the 60 per cent figure?

**Mr. Kendall:** I can't say it's false, but I don't know how they could ever determine that that was the case. They certainly didn't let us know, and they're supposed to advise our office of any suspicious fire, let alone a known incendiary fire.

**Mr. B. Newman:** Here's the comment: "Although accurate arson statistics are difficult to find, Don Campbell, Fire Marshal for Essex and Kent counties, estimates that at least 60 per cent of all fires in the counties are deliberately set."

**Mr. Kendall:** I can only hope he was misquoted.

**Hon. Mr. Welch:** That includes lighting the chairman's pipe, I think.

**Mr. Kendall:** I've never seen that article, by the way.

**Mr. B. Newman:** It's just last Saturday's article. I'll leave it with Mr Wilson and he can pass it on to you.

**Mr. Chairman:** Doesn't the building code have sections or clauses in it with respect to rodding of buildings? I'm talking about lightning rods.

**Mr. Kendall:** First of all, there is a Lightning Rods Act. What about the new code, John?

**Mr. Bateman:** No, the building code doesn't require it.

**Mr. Chairman:** I notice in your statistics here that there were 2,559 fires caused by lightning at a cost of \$2,100,000 in one year, whereas the rodded buildings had only 91 fires, at \$262,000. Would it not be worth-



while to make recommendations through the ministry; what is the difficulty there in getting the rods put in? Is it costly to lightning-rod a building?

**Mr. Bateman:** No, I don't really think there is any difficulty. The losses on unrodded buildings do look to be rather high, I must say, looking at them now. I don't know how many lightning strikes there may have been on unrodded buildings that escaped unscathed.

**Mr. Chairman:** You mean you don't keep count of lightning strikes that take place with respect to unrodded buildings?

**Mr. Bateman:** Just the ones reported to us.

**Mr. Chairman:** Okay, I will let you go on that.

**Mr. Bateman:** I think that is a valid point. In fact, in tall buildings a lightning protection system is installed voluntarily. It is a voluntary process in Ontario for any building, and where it makes sense it is installed. Up until now, and the Lightning Rods Act has been in existence for many years, it hasn't taken much persuasion to convince building owners of the good sense of installing a prevention system, but I think it is a very valid point to have something included in the Building Code.

**Mr. Chairman:** Well I want you, since you are in the secretariat, to speak to Mr. Handleman in the hallway about the matter. Any further comments?

**Mr. Singer:** Before leaving the lightning rods. I notice on these pages here, "Office of the Fire Marshal, a summary of activities," under paragraph 2 there is a line, "Supervision of inspection of lightning rod installations." How do you inspect them if you have no power to make sure they go in, and how do you get to know which ones to inspect, or where you send your inspectors?

**Hon. Mr. MacBeth:** I think we have no power to enforce their installation, all the installers are licensed and I gather they report to us and then we inspect those that they install.

**Mr. Singer:** Supposing I want to install one on my own barn. Do I have to go and tell somebody, or get a permit or something and get someone to install it properly?

**Mr. Bateman:** If you are doing it yourself, you don't have to let us know, but if you are going to sell your services to some farmer down the way and install a system on his

barn, then you have to let us know. You have to send in an installation certificate, and after we get that, we will go out and check that you did it according to regulations.

**Mr. Singer:** Aren't farmers pretty handy usually? Wouldn't more farmers put in their own lightning rods than would hire some fellow who is going to charge them for it?

**Mr. Bateman:** I don't think so. The material is rather unobtainable, except through lightning rod manufacturers—the rods and cable and so on. These manufacturers all have a team of licensed agents working for them and they are all licensed by us. We haven't found very many do-it-yourselfers. The odd cottager might try to attempt it, if he is nervous about lightning, but not farmers generally.

**Mr. Chairman:** Mr. Singer, after your incendiary days in the Legislature are all over, there is a business for you.

[5:30]

**Mr. Singer:** What about lightning rods in cities?

**Mr. Bateman:** Again, it's on a voluntary basis, but every tall building —

**Mr. B. Newman:** Television aerials.

**Mr. Bateman:** Yes, they are grounded. The CN Tower, of course, is an example. They are put in voluntarily though, and they are very often custom designed.

**Mr. Singer:** By your happy old building contractor.

**Mr. Bateman:** No, by your qualified professional engineer.

**Mr. Chairman:** Any further discussion on vote 1302, item 3? Item 3 carried.

Item 4, coroners.

**Mr. Newman:** I was simply going to ask when are we going to raise the coroners annuities so the individual isn't out of pocket.

**Hon. Mr. MacBeth:** Well—let me introduce—I don't need to introduce him, Dr. Beatty Cotnam, the Chief Coroner for the province. Dr. Cotnam would like us to raise those fees just as soon as possible, I guess. The suggestion, Dr. Cotnam, was that the doctors are out of pocket because of the fees presently paid to them. Our experience has been, whether it's the honour attached to the job or not, that there is no great difficulty getting coroners. But what about the fee, Dr. Cotnam?

**Dr. Cotnam:** The fees were doubled approximately two years ago. I think the coroners were very unhappy prior to that.

**Mr. B. Newman:** What is it now?

**Dr. Cotnam:** It's \$50 for an investigation now; it used to be \$25.

**Mr. B. Newman:** How about the jurors who are called?

**Dr. Cotnam:** The jurors; that's a different thing; the jurors fees are still \$6.

**Mr. B. Newman:** What are they, is it \$6 or \$10?

**Dr. Cotnam:** It is \$6.

**Mr. B. Newman:** Six dollars?

**Dr. Cotnam:** Six dollars a day; plus expenses for travelling, plus meal allowance.

**Mr. B. Newman:** And if the juror doesn't show up the fine is \$100?

**Dr. Cotnam:** That's correct.

**Mr. B. Newman:** You see the unfairness of it? I think that you've got to do something on that, Mr. Minister. You just can't keep it at \$6 for the rest of your days.

**Hon. Mr. MacBeth:** I know. I have been asked the question in the House and I said it was tied in with the jurors' fees for the regular court proceedings, and when we touch one we touch the other. I don't think there is any chance of us touching coroners' fees without giving all—I'm sorry, not coroners' fees but coroners' jurors' fees—without attacking them all at the same time.

It's a poor argument, I know, in this day and age, but some people still regard it as one of those public duties that they are subject to, from time to time. However if you are not being paid by your company it's a pretty high price to pay for doing your public duty. We'll continue to put pressure on it, sir.

**Mr. B. Newman:** May 27 of last year, two fellows didn't show up for duty and were fined \$100. Had they shown up for duty they would have collected \$6, \$8 or \$10; it certainly isn't fair.

**Mr. Breagh:** I find this system we have operating in Ontario a little confusing to say the least. I would like to ask some questions relating to this item. To quote your report here, the impact of the statute, the Coroners Act, has been far-reaching as it has

added considerably to the duties and responsibilities of coroners, particularly as regards inquest proceedings.

What happens when a coroner makes a report? It seems in Ontario there are thousands of reports and recommendations from coroners and coroners' juries; what happens to those things?

**Dr. Cotnam:** You mean the jury recommendations, or recommendations made by coroners even without an inquest?

**Mr. Breagh:** Either one.

**Dr. Cotnam:** They are all funnelled through my office; and of course I have a responsibility, under the Coroners Act, to follow up on each recommendation. These are forwarded, by my office staff, to each ministry of government or agency or person who may be involved in the recommendations. They are sent out on a continuous basis. Last year approximately 1,000 recommendations were made by coroner's juries.

**Mr. Breagh:** What happens to them then? That's what I want to know.

**Dr. Cotnam:** Now some of these take weeks to implement, or six months or a year. It may take a couple of years, if legislation is involved. But in our experience, approximately 70 to 75 per cent of the recommendations of coroners' juries are implemented in the end in some manner or other; sometimes maybe not precisely the way the jury said, but nevertheless it's carried out in a reasonable manner.

**Mr. Breagh:** Okay. One of the things I find confusing sometimes, and disturbing other times, is that we have set up a rather formal procedure to deal with this kind of problem—

**Dr. Cotnam:** Do you mean the inquest?

**Mr. Breagh:** Right—and they make rather formal recommendations. All of that process seems to attract a good deal of public attention, but from then on the mystery starts. Where does it go? Does the government have to respond in a similar formal manner? I don't see anything that says where the information goes after they complete the investigation and make their recommendations; it's done and it's forwarded to the government, does the government have to respond in a formal way to you?

**Dr. Cotnam:** I can tell you that in the vast majority of cases we have to have a

reply no matter to whom we send it. It can be a provincial ministry, it can be a federal ministry, it can be an agency of government or whatever; over the years we've built up this system and I think most people now feel responsible enough that they reply to us. Perhaps they don't reply to us the way we wish; they may say they're not going to do anything about it—or they can't at this time—or it's economically not feasible to do it or whatever, but we have a revolving procedure on this where if we've had no reply—after a month or two we follow up on it again.

Eventually, I would say we get a reply from the vast majority of them. These are in our files. They're open for anybody to look at. They come and look at them to see what's happened to the recommendations of the coroners' juries.

**Mr. Breagh:** I certainly hope they do you the courtesy of replying, but the point I'm trying to make is that there is no onus on the government, or any other agency for that matter, to give you a formal position. If some jury recommends something that's totally wrong or impractical they don't have to give you a reply and say: "We're not doing anything because of this, this and this."

**Dr. Cotnam:** They don't have to, but as I say we do get a reply. In the vast majority of cases we get a reply.

**Mr. Breagh:** Do you think it would be advantageous or would it be outrageous if the Coroners Act were amended in some way so that, at least with provincial agencies, a formal reply to any recommendations you might make to them was required?

**Dr. Cotnam:** It might perk up the odd person who does not reply to my office, certainly. The way the Act is worded right now it just says that I, as Chief Coroner, must bring jury recommendations to the attention of so-and-so.

**Mr. Breagh:** That's right.

**Dr. Cotnam:** There's nothing that says they must reply. Of course there's nothing that says they must follow the recommendations either.

**Mr. Breagh:** Let me give you some specifics. Every once in a while a child falls from the window of a highrise. I know that a number of coroner's juries have made recommendations about that. I still

don't see anything that corrects the problem or the cause. I'm fishing, of course.

**Dr. Cotnam:** I think we've had some 15 of those in the last 10 years in Metropolitan Toronto—

**Mr. Breagh:** That's right.

**Dr. Cotnam:**—little children falling from windows of highrises and what not. Over the years these have all been brought to the attention of the appropriate authorities and we've had replies from many of them. Some of the boroughs, to my knowledge, have now brought in bylaws on this very matter, about fastening windows better and so on.

**Mr. Breagh:** But the province itself has never given you any specific authority. When we go this whole route of investigating something that happens and making a formal recommendation and putting it through your office, and the onus is on you to transfer that information to the government, then I don't think it's too much to ask that the government respond to you in a formal way. I don't just mean somebody calling you up or writing you a little note saying: "Thanks a lot. We got your information. We have the recommendations."

**Dr. Cotnam:** No, I'm still saying that most of them respond to in a formal way. It's not just an acknowledgement, I'm not talking about that. They usually state why they're going to do it; or why they're not going to do it or they can't do it at the present time. I think this aspect is becoming better all the time since we've introduced this system in the Coroners Act of responding to jury recommendations.

**Mr. Breagh:** So you wouldn't like to see, then, something along the lines, a very simple thing, so that if you submitted a set of recommendations, even just one, to the Solicitor General for example, he would have to make a formal statement as opposed to a letter of acknowledgement.

**Dr. Cotnam:** Well, I would like to have a formal answer to each one.

**Mr. Breagh:** It just strikes me that we set up a rather formalized system up to the point at which the recommendations are made. But from that point on, we then seem quite content to drop it, when it seems to me that is the point at which it should get operative; that's where it should get formal,



that's where some agency of the Crown or province ought to be required by law, in a formal way, to reply to those recommendations. Otherwise the government is given the liberty—and I suppose governments enjoy this, and it's a privilege of government—to pick and choose which recommendations it will, for whatever reasons, and they might be very good reasons, or they might be very bad reasons, either respond or not respond or bury the thing.

**Dr. Cotnam:** I'd like to have a response to each recommendation and the why, there is no question about that.

**Mr. Breagh:** I want to deal with something in your report that really is pretty shocking, at least I find it unusual. Maybe not unusual, but it's highlighted in several places in the Solicitor General's report; and that is the suicidal death rate. In particular, if I can quote from the report: "Suicidal death continues to be a major problem, with a definite increase in teenage suicides. The total of 75 suicides includes one girl nine years of age and another 13 years of age."

If I can go to the back of the report, it really gets rather shocking. You are saying these statistics indicate a steady growth in the number and frequency of suicides in the province and its shift in age distribution to the younger age groups. I'm going to put it to you now, having said it what are you doing about it?

**Dr. Cotnam:** I don't know all the sociological problems involved. It's the duty of my office and myself, and the coroners' system naturally, to identify all these deaths and keep statistics on them for the people who are doing studies on suicides. We co-operate with a great number of people here. The Clarke Institute of Psychiatry uses our statistics, and the ARF people use our statistics for their studies. We've also had other university people come in and study our statistics and our files to find out why there are so many suicides, and to set up suicide prevention centres and other methods of preventing suicides in future.

**Mr. Breagh:** What do you do when you get concurrent recommendations from across the province that indicate a major problem is really becoming something that's unusual, and you've made the notation in this report that suicides among teenagers really are? Aside from writing it up in this report, which is significant in itself, would that not be an occasion when you ought to expect a formal response from the government?

Let me put it in these terms: I recall some coroners' juries making recommendations about underage drinking, indicating that was a serious problem. Certainly in at least one case I recall, I believe in North York, among their recommendations was concern about how youngsters could get alcohol, how it was so free to them, how there wasn't any difficulty in obtaining it and how they were obviously abusing it, which was at least a contributing factor in the death being investigated.

At the same time, we had the government sending one of its members around the province doing a kind of informal study of the same kind of situation. Do you feel a kind of a responsibility to put that information before the government, not just as individual recommendations from an inquest, but as a kind of collective sensing of what's going on in Ontario? In other words not just dealing with one case and one set of recommendations, but where you find similar recommendations and similar situation coming through, do you as Chief Coroner take any action above and beyond what's laid down for you in the Coroners Act?

**Dr. Cotnam:** As I say, these statistics are available to all sorts of scientific organizations which want to use our statistics. Over the years they have become aware we're in business and we are contacted by them. Different organizations want to use different statistics in a different manner, but they're certainly available to them. As statistics grow up in a certain field, for example, when Ski-Doos came in and we had all the deaths associated with Ski-Doos, these figures were certainly brought to the attention of the appropriate ministries which eventually set up committees, and we now have legislation with respect to snowmobiles and what not. This sort of thing is in operation all the time, depending on the different trends as they come along.

With drug deaths, for example, we're in touch with the drug people all the time on the trends in drug deaths, and these change almost yearly. What the kids or adults are using one year they're not using the next year. We try to keep abreast or even forecast these trends to the people who would be interested in having this information.

[5:45]

**Mr. Breagh:** I'll end with this one. Do you make a formal public report once a year or anything like that?

**Dr. Cotnam:** We present something of this nature here but this is going to be greatly expanded in future years. We never had a full-time statistician until last year and now, out of the vast statistical material we have, we even intend to go backwards and bring our statistics up to date and keep abreast of it in future. We have a girl now—I should say a person; it happens to be a girl—

**Mr. Breaugh:** A female person.

**Dr. Cotnam:** —who's doing our data punch stuff on each death and accumulating an awful lot of information on IBM. Then we have a statistician who is retrieving information from this and compiling it. I expect, within another year, we should be able to put out a much more extensive survey of what's going on in the province with respect to sudden and unexpected deaths.

You can see here we've just touched on a few things; like firearms particularly and suicides as the two current problems being discussed a great deal. Mind you, there are all sorts of other things we can go into, such as sudden infant deaths, child abuse and so on. We hope to have a great deal more material available in the future.

**Mr. Breaugh:** I would really encourage you to do that. I think you could offer a tremendous service to the public as a whole because you happen to be in a unique position of investigating and receiving recommendations from across the Province of Ontario on a regular basis and not whenever somebody else thinks there is a problem. I notice in this report you kind of went over the line but you pulled back a bit but if you saw fit not just to report statistics to people—you're right; they're always there and people can go and look at them. Very often people view statistics on a very selective basis and they see what they want to see.

In a number of areas in this short report you could do a great service to the people of Ontario if you made a comprehensive and public report annually to the government. I think in that sense the government would be obligated to make a reply to you. In looking over this particular very brief report, I see you have comments on homicides and whether they're committed by handguns, shotguns or rifles; that happens to be a matter which is really open to discussion these days.

A report from the Chief Coroner of Ontario would carry a rather large amount of status mostly because the information you've

got is comprehensive. It is not from somebody doing a six-week tour of the province but somebody who's functioning every day across Ontario. I would really encourage you to expand that particular role and I would hope that the minister would welcome that kind of public information.

An annual report from the Chief Coroner, I think, could be an invaluable source of recommendations and information for the government of Ontario.

**Hon. Mr. MacBeth:** Mr. Chairman, maybe the report, as Dr. Cotnam suggested, could and should be enlarged. I think there may be a few exceptions but nearly all coroner's jury reports and their findings get pretty wide circulation and they help build public opinion.

The coroner's opinion is sought and well respected on such things as gun control; I know he's been consulted in connection with that. It takes a little time to build public opinion.

Among the more difficult cases he's had this year was the shooting incident in Ottawa, the Poulin case. I think there was some suggestion in the report which came out on that that it was because of the kind of literature the young boy had been reading that helped form his opinions and put him into that position; that does come out. But just because a coroner's jury recommends something, as you well know, you can't put it into legislation immediately; public opinion has to be moulded. I think Dr. Cotnam and his coroners across the province are doing a pretty good job in moulding public opinion by putting the results on the table and, where possible, showing the causes. If wider circulation of this report can accomplish that, and they don't just become statistics that people won't look at, I think it can and should be done.

**Mr. Breaugh:** I really think that is an important point. I have some reservations about a coroner's jury looking into one situation and making recommendations. In most cases they are lay people with no expertise in that field. If they are looking at a given situation, they are subject to a great deal of pressure from the press and the media coverage of the thing. There's often a lot of emotionalism attached to it.

Certainly it has validity, but what would have much more validity would be the Chief Coroner of Ontario making a report that says, "Here is a problem that has happened more than once in Ontario"—or maybe it did only

happen once, but it has widespread ramifications—"and these are some recommendations that I could make to you." They may be things that he has gleaned from recommendations that were made in several cases, they may be running concurrent, or they may be just personal opinions on his part.

He happens to be in a unique position to assess what is going on and to make valid recommendations, and they would be given considerable weight if we had a public document containing a series of recommendations made by the Chief Coroner of Ontario. I think that would be a major step forward for us.

**Ms. Sandeman:** I have a series of things I want to ask you about one at a time. Maybe I could start with some of the things in your annual report and again say what Mr. Breagh was saying about the value of this and the even greater value of the kind of study you plan to do for criminologists or for social workers, if you are looking at the battered child, or whatever it may be. Now that you've got your statisticians and your beautiful new office, I hope that will be out soon.

I would like to ask you about the gun statistics—not so much the statistics, because they are very clear and well laid out, but the interesting statement you make for producing that statistical table. The reason you give is that there are many misconceptions concerning gun control problems. What were the misconceptions?

**Dr. Cotnam:** I think the chief misconception related to the use of handguns, rifles and shotguns in all sorts of deaths by firearms, whether accidental, suicide, homicide and so on—if I may put it this way—is we are the exact reverse of the United States.

Figures we got the other day from Dr. Gerber in Cleveland showed that in deaths by firearms—accidental, suicide and homicide—87 per cent were with handguns and about 13 per cent with rifles and shotguns. In Ontario and Canada, I presume, it is just about the reverse; about 15 per cent of those deaths are with handguns and the other 85 per cent are with rifles and shotguns. I think it just shows that rifles and shotguns are far more available in Canada than are handguns.

You were speaking about all this information, where to send it and so on; we had a request from Mr. Allmand for our statistics in Ontario, and these were sent to him and to Mr. Basford for their consideration, along with other information we had about particular cases—not just a sheet of statistics.

**Ms. Sandeman:** I guess it's also significant that your review disclosed that 72 per cent of the firearms deaths occurred at home, and alcohol was felt to be a contributing cause in 25 per cent of the total deaths. I guess that would have some bearing on the kind of recommendation you might be making if you have been asked to make a recommendation about gun control legislation.

It would seem to me that if you are considering introducing a system whereby all guns may be licensed, I would point out that probably most of those deaths that occur at home would be from guns that would normally be licensed. They would be from legally held firearms—the shotgun on the wall or the gun that's in the corner that's involved in the accidental shooting when the guy is cleaning the gun or the flare-up of a family row. People who imagine that just licensing the sale of shotguns is going to prevent an enormous number of deaths are probably totally wrong.

**Dr. Cotnam:** You're not going to prevent that kind of a death where the gun is available. Nevertheless, in a period of six weeks this year, and I said this to our minister, we had five children shoot other children—in a period of six weeks. In one instance a five-year-old shot a 15-months-old baby through the head. We had five of these deaths in six weeks.

Now my opinion is that we need better care and control of guns and ammunition by the adults who own them; and of course this is in the proposed bill before the federal government. What they'll do with it I don't know, but that's one way you could prevent these deaths. If those guns had not been available the deaths would not likely have occurred.

**Ms. Sandeman:** Yes, it says something about the care, the general level of care, in that home if a parent is going to leave a loaded—it would have to be loaded, I would think, for a five-year-old—

**Dr. Cotnam:** I think in three of these cases the child loaded the gun, including the five-year-old. He loaded a .22. I don't know how he did it, but he must have watched his father do it a sufficient number of times.

He loaded a gun in one room. The shells were on top of a buffet or something like that. He had to get the shells from there, the gun out of a cupboard and walk across a hall into the other room to shoot the baby in the bed.



**Ms. Sandeman:** Yes. The problem there, of course, is that all those actions are meaningful to the child except the resulting death. He just can't understand what he's doing.

**Dr. Cotnam:** Another thing when you're talking about gun controls and so on, I think it certainly would prevent a significant number of suicides by guns. A lot of these are on the spur of the moment. I think we had one again last week. They go into a gun shop—Canadian Tire or whatever—and pick up a gun. Frequently the sales tag is still on it and the invoice is in their pocket. They walk into a shed, or whatever, and blow their head off.

People can argue they might suicide in some other way. I don't think every person who will suicide by a gun would necessarily jump off the top of a high building. He might get over the crisis period if there were a waiting period to get guns.

**Ms. Sandeman:** He might go to the drug-store and buy himself some salicylates.

**Dr. Cotnam:** He may do it some other way. I can't say he won't, but it would certainly prevent them from doing it by firearms.

**Ms. Sandeman:** You were looking at the clock?

**Mr. Chairman:** I was just wondering whether this would be a good time to break.

**Ms. Sandeman:** Yes, because I wanted to go. Could I remain on the list and go on to a different topic after the dinner hour?

**Mr. Chairman:** After the supper break, we'll start with Ms. Sandeman, with Mr. Gregory following up and then Mr. Singer. We'll recess now until 8 o'clock. We're not sitting tomorrow, but we're sitting tonight.

The committee recessed at 6 p.m.

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 Wilson, F. L., Assistant Deputy Minister







Government  
Publications

# Legislature of Ontario Debates

**SUPPLY COMMITTEE—1**

**ESTIMATES, MINISTRY OF  
AGRICULTURE AND FOOD**

**OFFICIAL REPORT — DAILY EDITION**

**Third Session of the 30th Parliament**

**Monday, June 14, 1976**

**Evening Session**

**Speaker: Honourable Russell Daniel Rowe**

**Clerk: Roderick Lewis, QC**

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## LEGISLATURE OF ONTARIO

### SUPPLY COMMITTEE

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MONDAY, JUNE 14, 1976

The committee resumed at 8:02 p.m. in committee room No. 1.

#### ESTIMATES, MINISTRY OF AGRICULTURE AND FOOD

(continued)

On vote 1701:

**Mr. MacDonald:** Mr. Chairman, before we leave item 1, main office, I would like to make one relatively brief comment—and I have one question. This afternoon, I raised the whole question of the concentration of distribution within the food industry and its pricing system. The minister, with the vocal support of the Liberals, rather dismissed it all with the comment that the Conservative Party believes in free enterprise.

I would just like to say that sometimes free enterprise is its own worst enemy. It has to be regulated and corrected and civilized, otherwise what it does to the human element in the process is rather cruel. In that connection, I thought it would be worth putting something on the record, particularly in light of our subsequent discussion of the government's dismissal of the request that it participate in a systematic way on a dollar to dollar matching of the church voluntary funds.

There was a comment that was carried in the *Globe and Mail* on Monday, June 7, under the lead editorial entitled, "Clout Of The Third World." Let me read one paragraph, which is really an illuminating one.

Apart from oil, 12 major raw materials and commodities account for 80 per cent of the Third World export earnings. In 1974, these exports earned the Third World \$30-billion. But consumers in the industrial countries paid \$200-billion for the end product.

"The bulk of the difference, \$170-billion, was absorbed by the wealthy processors and middlemen largely in the developed world," according to Barbara Ward.

Not all of that, of course, should have gone to the producer countries. But René Servoise in *Le Monde* calculates the indus-

trial world's windfall at between \$50-billion and \$100-billion. In that perspective the net transfer of aid from the industrial countries to the poor, in the the neighbourhood of \$10-billion a year, looks like a modest fee for access to a gold mine.

In short, the western world in 1974 bought \$30 billion from the Third World, and by the time the middlemen had profited on it, they sold it to the consumers in the industrial countries for \$200 billion; and René Servoise of *Le Monde* estimates that in that was a profit of \$50 to \$100 billion. He points to the \$10 billion that has gone back in return by way of aid to the Third World. All this, incidentally, is apart from oil. These are raw material commodities so to speak. It's in that context I would suggest that the government take another look at the request of the churches.

By a strange coincidence when I got back from my office I had a letter from Michael Flynn, the secretary of the council that co-ordinates all the churches in that international aid—I've forgotten the exact name of it—reiterating their request and saying that they are still hoping they can change the Premier's (Mr. Davis) mind. I join with him in trying to persuade them. In light of this kind of ripoff, just as I was saying this afternoon, the consumers are paying too much and the producers are getting too little. The Third World is getting \$30 billion and the consumers in the industrial world are paying \$200 billion for that product. If that's free enterprise, you defend it. I'll have some fun on the hustings with it.

**Hon. W. Newman:** In order to get it on the record properly you are reading from an article which I have not seen. You are saying the Third World sent sold \$30 billion worth, and the free world sold it for \$200 billion. I assume you are talking about the raw products and whatever it was.

**Mr. MacDonald:** Oh yes.

**Hon. W. Newman:** They refined it or whatever the case may be and there were the transportation costs plus other costs and they



made a net profit—I assume you mean a net profit, not a gross profit.

**Mr. MacDonald:** The estimate was between \$50 and \$100 billion. I suppose the \$50 billion was net and the \$100 billion was gross?

**Hon. W. Newman:** I just can't comment on the article because I haven't seen it. I don't know what they bought, I don't know what commodities were involved and I certainly just could not make a snap judgement on that until I have had a chance to look at it.

**Mr. MacDonald:** It's the Globe and Mail of June 7, the lead editorial. The question I wanted to ask you is that I'm rather curious on the total of the 1976-1977 estimates is \$151,573,000,400. Now that you have added—

**Hon. W. Newman:** What did you say, \$151 billion?

**Mr. MacDonald:** What did I say, billion?

**Hon. W. Newman:** I thought you did, yes.

**Mr. MacDonald:** I'm sorry. I'm looking at page R11 and the total is \$151,573,400. Now that you have added another \$3 million plus for tile drainage and you've added potentially \$67 million for your version of stabilization and so on, what do you estimate—

**Hon. W. Newman:** Let's get the record straight. I said that was an estimated thing for 1975. I didn't say anything about 1976.

**Mr. MacDonald:** Okay, fine.

**Hon. W. Newman:** Let's keep the record straight.

**Mr. MacDonald:** What do you estimate is your total budget this year?

**Hon. W. Newman:** If you look down on the left-hand side, the total estimates are \$171,041,000, which is what I announced in my opening statement today. Some of the \$3.8 million will come from within the ministry on wherever we can save a few dollars. The rest will come out of—

**Mr. MacDonald:** You mean there was some fat in there already.

**Hon. W. Newman:** No, there was no fat. There is never any fat in an agricultural budget. You should know that. You stand up and defend the farmers here today. I am sure you are fully aware of the fact that there is no fat in our budget.

**Mr. MacDonald:** The difference is between the farmers and the minister.

**Hon. W. Newman:** I'm not that much overweight either. It's \$171,041,000 at this point in time. There's \$25.6 million in the stabilization fund. We are looking very closely at it. This is one of the things about stabilization—it's very hard to determine, for instance, calf prices. I am looking for better calf prices this fall than we had last fall. Things are looking up a little at this point in time. I can't be sure what calf prices will be this fall. If it is necessary before the end of this fiscal year for additional funds in our stabilization programme it will come out of the consolidated revenue fund. I wouldn't want to give a specific figure because I don't know what is going to happen in agriculture this summer.

**Mr. MacDonald:** In short, you haven't altered the \$171 million at this point?

**Hon. W. Newman:** At this point in time, no, the \$171 million has not been altered.

**Mr. Riddell:** I just wonder how do you account for the \$95,000 in additional moneys for main office?

**Hon. W. Newman:** Salaries and wages are up about \$43,000; employee benefits up about \$27,000; transportation and communication up about \$7,000; services up \$5,000; and supplies and equipment about the same—actually down \$400.

Item 1 agreed to.

**Mr. Chairman:** Item 2, information services.

**Mr. MacDonald:** I am curious about the information services. This is where your axe was wielded rather vigorously. Do you mean to say you fired all your high-priced help and got some cheaper ones like Don Beeney in the information services or what? Your budget is down by about \$25 million—sorry, \$25,000. I am getting these things all mixed up.

**Hon. W. Newman:** We have cut complement by four.

**Mr. MacDonald:** You mean Don is replacing all four?

**Hon. W. Newman:** No, we are short-staffed and that is why we work long hours.

**Mr. Gaunt:** Who is he replacing?

**Hon. W. Newman:** There was an acting director of information services at the time

that I went to the ministry, Mr. Schneller, and he is still with the ministry. Mr. Beeney is now the director of information services.

**Mr. MacDonald:** I will ask it here and then I won't need to ask it elsewhere. What is encompassed in the term "services" in each one of these items? It is the fourth item in information services and again in legal services. What specifically is in "services"?

**Hon. W. Newman:** Basically publications. It's down, as you can see, from \$110,000 to \$99,000.

**Mr. Sewell:** Services really include all or most of the charges that we don't pay for ourselves with our own staff. For example, it could include repairs to motor vehicles. It could include rental of equipment, rental of photocopiers or typewriters if we were renting them. It includes data processing if that is in the item. The general term basically is used for things that we don't purchase ourselves. Transportation and communication is more or less self-evident; supplies and equipment is self-evident. It is really what's left.

**Mr. MacDonald:** Consultants' fees?

**Mr. Sewell:** It could be. Yes, if we were hiring with approval through the Management Board system. They have rules about how we hire consultants. Even the rental of a truck for one day would come under services.

**Mr. MacDonald:** I was interested in how consistently the services tend to have gone down. Not always, your legal services are up, and that is par for the course.

**Mr. Sewell:** That is a little bit different. They belong to the Ministry of the Attorney General and they charge their salaries to us. Last year the Treasurer (Mr. McKeough) required us to reduce most of our services and goods and supplies, etc. by about 10 per cent. These are reflected you will find through most of these estimates. Generally speaking they are reduced by around 10 per cent from last year. There will be some differences.

**Mr. Spence:** In other words, you reduce your staff by 10 per cent?

**Mr. Sewell:** Perhaps, but that's under staff salaries and employee benefits.

Vote 1701 agreed to.

On vote 1702:

Item 1 agreed to.

**Mr. MacDonald:** What exactly are advisory services to agriculture and horticultural societies? I am rather teased by that performance.

**Hon. W. Newman:** Basically grants.

[8:15]

**Mr. R. G. Bennett:** It is listed under advisory services and basically covers the branch which administers the Agricultural Societies Act and the Horticultural Societies Act and provides services to the agricultural societies through grants and other things and similar to horticultural societies, listed here under the broad heading of advisory services.

**Mr. MacDonald:** What did you do in that area of agricultural and horticultural societies to get your salaries down from \$196,000 last year to \$123,000 this year?

**Mr. R. G. Bennett:** Before the food land development branch became set up, drainage was part of this branch for administrative purposes and it is transferred now to food land.

**Mr. MacDonald:** I have one other comment in this instance: To what extent is there any supervision or review of expenditures of horticultural and agricultural societies to which grants are made?

**Hon. W. Newman:** You mean in a specific agricultural society? It's based on a formula; the number of members they have and the type of services they provide, and they have to submit financial statements.

**Mr. MacDonald:** Let me raise a specific case. I have had raised by people in the Barrie area the question of whether or not it is a legitimate proposition that the properties of the agricultural society, which I presume include the fairgrounds, should be rented for what is alleged to be a rather favourable figure for the trots, and that there is a fairly healthy interlocking directorate between the agricultural society and those involved in the racing business. The allegation is and I want to raise it, frankly, and let's clear it up if there's any validity in it; at least get it aired—that what's happening is that a private corporation is being set up for the trots and it's getting access to facilities of the agricultural society, which is a public body which benefits from grants from this government, and it may well be that they are getting it at a rather

favourable price. In other words, they are building their private, they hope profitable, activity on the basis of the use of public facilities. Are you aware of the circumstances in the Barrie instance and did you review that kind of thing?

**Hon. W. Newman:** I'm aware of the situation in Barrie, and there are two or three other cases in the Province of Ontario, where the agricultural society does lease out the grounds for so many trot days a year, but most of them usually have their trots during their actual fair days.

**Mr. MacDonald:** Yes, well, you know this is a different affair now.

**Hon. W. Newman:** I realize it's a little different in the Barrie situation. The agricultural societies, at this point of time, under the present Act are exempt from taxation and they do make their arrangements with the trotters. Of course, as you know, there has been a special commission set up to study the whole overall assessment picture in the Province of Ontario and they will be reporting, I assume, some time this fall. I know there has been some concern there and on both sides, but the agricultural society has run a very fine fair there and it—

**Mr. MacDonald:** I'm not arguing that point at all. All I'm saying is that when they are not running the fair their facilities are handed over, allegedly for a rather immodest price, to a private corporation, and there happens to be a fairly healthy interlocking directorate between the agricultural society and the private corporation.

**Hon. W. Newman:** I don't know exactly what the rental fee is—perhaps somebody could tell me; I have no idea what the rental fee is—but I do know that the agricultural societies do rent it out and they do it at basically all the fairs when they are operating, and even when some of the agricultural societies are not operating their own fair, they do lease out the trotting rights to certain groups. I can't give you the exact rental fee in the Barrie area. Maybe somebody could give you the actual figure but I don't know the actual figure.

**Mr. Lantz:** Any profit that the agricultural society receives from the transaction gets ploughed back into the paying off debts on buildings and this kind of thing. It's brought back into the society.

**Mr. MacDonald:** May I suggest, Mr. Minister, that this may be an area, as trots be-

come increasingly popular, with the insatiable desire for gambling in the Ontario populace, and of course the excitement of watching horses run, maybe this is something which, in your review of accounts or of financial statements, perhaps you should just keep an eye on.

**Hon. W. Newman:** We're well aware of the situation in several places in the Province of Ontario. I think what comes out of the assessment commission hearing, will have some bearing on the total, overall picture. I imagine there'll be presentations made by the various agricultural societies and other groups to this commission on this particular matter. We're well aware of this situation.

**Mr. Spence:** Mr. Minister, do they have to request the racing committee to carry on racing? Does the racing committee have to pay the agriculture society, or can the agriculture society give it gratis?

**Hon. W. Newman:** I assume they could, but I doubt it. In most cases I know of they do not give it gratis; it's part of their overall income.

**Mr. R. G. Bennett:** It provides a more frequent utilization of facilities. And the agricultural societies, as Mr. Lantz said, do realize a considerable profit and are able to plough it back into it; and they still own the operations.

**Mr. Chairman:** Any further questions on item 2?

**Mr. McKessock:** Mr. Chairman, pertaining to agriculture and manpower, how many farm workers did you bring in from the British Isles last year?

**Hon. W. Newman:** I can't tell you from the British Isles, but I believe the overall figure was 4,000 to 5,000.

**Mr. R. G. Bennett:** Yes.

**Hon. W. Newman:** It was in that neighbourhood. I probably have the figures here for you somewhere.

**Mr. R. G. Bennett:** I'll get it for you in a minute. Our manpower man isn't here tonight; I know it's here. You mean the full-time workers?

**Mr. McKessock:** Right. What was that figure you gave me?

**Hon. W. Newman:** Somewhere around 5,000, I believe—is it not?



**Mr. R. G. Bennett:** No. The 5,000 figure is offshore workers from the Caribbean and Mexico for the seasonal harvest.

**Hon. W. Newman:** You're talking about our programme where we go overseas and actually recruit farm workers to come back here and let them deal with the actual farmer to make an arrangement to come over and work on a farm here on a permanent basis—is that what you're talking about?

**Mr. McKessock:** Right.

**Hon. W. Newman:** I can't give you the actual figure.

**Mr. R. G. Bennett:** Without looking at it here, the number of interviews we held during the year and the number we accepted from the interviews, I would say would be between 125 and 150. Now, how many of those have actually completed all their arrangements and are here—sometimes it takes a bit longer to move families, to get immigration clearance and this type of thing—I'd have to check that figure out. But on the basis of the interviews for this year's programme, the number we have accepted to come would be about that.

**Mr. McKessock:** Is this programme as strong now as it has been in the past few years?

**Mr. R. G. Bennett:** It's remained relatively stable through the whole process since 1966.

**Mr. McKessock:** Is there any co-operation between your agriculture manpower service and the new federal Manpower service that has started up?

**Mr. R. G. Bennett:** A formal agreement.

**Hon. W. Newman:** There is an agreement and an understanding with them.

**Mr. Spence:** Are there any students coming in from Europe?

**Hon. W. Newman:** You mean the offshore seasonal workers?

**Mr. Spence:** Yes.

**Hon. W. Newman:** By and large, they come from the Caribbean. They usually come in on an eight- or nine-month basis.

**Mr. R. G. Bennett:** Just to answer your question further. The following is a detailed summary of the placements on the overseas programme: United Kingdom, 84; the Netherlands—it's part of the same programme simply extended—it was 50; Switzerland, 3;

Denmark, 2. So those, when added, would be just about the figures I mentioned.

**Mr. MacDonald:** Are we on manpower?

**Mr. Chairman:** That comes under the advisory services, Mr. MacDonald.

**Mr. MacDonald:** Oh, how far down do advisory services go?

**Mr. Chairman:** They go right down to crop insurance.

**Mr. Sewell:** The details are on the right-hand side, Mr. MacDonald.

**Mr. McKessock:** Under transfer of payments, grants and achievement awards, what does that \$6,000 represent?

**Hon. W. Newman:** For the transfer of payments under extension?

**Mr. McKessock:** Yes.

**Mr. R. G. Bennett:** This would be basically 4H Club work, and this kind of thing.

**Mr. McKessock:** There's the Canada Council on 4H Clubs, \$6,800.

**Mr. R. G. Bennett:** That's the membership in the Canadian Council on 4H Clubs. We're assessed so much per member and they make an assessment on their basic needs—they're non-profit—just to balance their budget, and this is an escalation.

**Mr. Lantz:** There's \$6,000 for the Ottawa Winter Fair.

**Mr. R. G. Bennett:** That's a special junior show in Ottawa.

**Hon. W. Newman:** By the way, you should note the Junior Farmers' Association of Ontario has not asked for an increase in how many years? They have been very efficient in raising their own money over and above this.

**Mr. MacDonald:** Mr. Chairman, on Manpower, may I ask the minister or his staff, is there any validity in the contention that other sources are used for getting farm labour when there are still people registered and willing to go to farm labour on the Manpower lists?

**Hon. W. Newman:** Are you talking about a temporary or a permanent basis?

**Mr. MacDonald:** Temporary, during the harvest season.

**Hon. W. Newman:** Yes, well the trouble is the seasonal workers are usually coming

here from somewhere between seven and eight months of the year. There are some students who go out to the farms in the summer when we have the junior agricultural programme and 200 young people from the cities go out to work on a farm subsidized on a 50-50 basis with our ministry. But most of our offshore seasonal work is anywhere from six to eight months, and they start in the spring and go right on through to the fall harvest, which would preclude most of our students from doing a lot of that work.

**Mr. R. G. Bennett:** The offshore programme is a very small percentage of the total requirement, as you are aware. It is estimated that to harvest our crops, including tobacco, we're talking about 60,000 people a year. The offshore programme is only 5,000. A lot of people think we're bringing all this labour in. It's actually a core of workers. They are spread through the various crops to some extent. The greatest usage of the offshore workers on a percentage basis is with apples, keeping in mind that apples are harvested later in September and through October and so on, this is after all our students have gone back to school. There always is a bit of a critical time after Labour Day in fulfilling commitments when young people have gone back to school, but a large proportion of that seasonal workforce are Ontario students; a large proportion—a lot more than is generally published.

**Mr. MacDonald:** What about bringing people in, though, from northern Ontario or from Quebec or from down in the Maritimes? Is that done in preference to people who are listed in the local Manpower offices as seeking work? Are they given any preference?

**Hon. W. Newman:** We bring a lot in from Quebec and quite a few from northern Ontario but, by and large, quite a few seasonal workers come in from Quebec to help with the harvests.

**Mr. MacDonald:** I just want to press this a bit more, because I've heard it argued that there are people on the Manpower lists and they don't get a chance to go. I've heard a counter-argument that a high proportion of them don't prove to be good farm workers and, therefore, farmers tend to ignore that as a source and to take somebody who perhaps has come regularly from down in Quebec or northern Ontario or even from the Caribbean.

**Mr. R. G. Bennett:** This is partly correct. I think you'll find that there is still a larger percentage moving from the areas you've

mentioned and, up until quite recently, I think it is still in force, yes. Up until last year, the federal government allowed transportation assistance for onshore workers to get to their jobs. Now the transportation of Caribbean workers is borne in the main by the employers. I think there is a 20 per cent rebate back from the workers after they complete the job. Initially, it is all borne by the employer, the farmer, and then there is a 20 per cent reduction from the worker as he goes through the thing. So there is an incentive, provided the satisfactory worker can be secured and he will maintain his commitment to the job.

[8:30]

This is another problem. If a better-paying job comes up, he's gone the next day. So, as an inducement, there has been transportation assistance—and actually, from a dollar point of view, it's advantageous to the employer to employ domestic workers. Canada Manpower policy is to try to ensure as much as possible that satisfactory onshore workers—keeping in mind they do all the placing—are always given preference.

**Mr. McKessock:** You said most of the transportation is paid by the farmers—so what is the \$82,000 for transportation and communications?

**Mr. R. G. Bennett:** This is the onshore workers.

**Mr. McKessock:** That's for onshore workers.

**Mr. R. G. Bennett:** It is for offshore workers that the farmers have to pay most of the transportation.

**Mr. McKessock:** So this \$82,000 is for workers you're bringing in from the British Isles?

**Mr. R. G. Bennett:** No.

**Hon. W. Newman:** No.

**Mr. R. G. Bennett:** This is for seasonal workers within Canada; transporting them across Canada. I think it's now been in force for 30 years.

**Mr. Riddell:** There has been a number of Caribbean workers come into the Exeter area, and they have gone to work for Canadian Cannery Ltd. Does the ministry have an involvement in that? I always fail to understand, with the number of people unemployed, why it is that each year there are so

many Jamaicans coming into our area and going to work for Canadian Cannerys. They're not necessarily working out in the fields; they're working right in the plant. Is Canadian Cannerys doing it, or are you people involved in it?

**Mr. R. G. Bennett:** No, we're not.

**Hon. W. Newman:** They would have to bring them in. They would bring them in through the federal Department of Manpower and Immigration to help out with the seasonal work within the plant.

**Mr. R. G. Bennett:** We are not involved administratively or financially in the offshore programme. It is entirely run by Canada Manpower. Our participation is mainly after representation, say, from the Ontario Fruit and Vegetable Growers Association, or from the Flue-Cured Tobacco Growers Marketing Board, or any of those farm groups that feel they have the need for the continuance of these programmes, or simply to support them. Canada Manpower arranges for all the agreements with the other countries. They arrange through Canada farm manpower pools, and so on, to list farmers needing workers. They supply their needs either onshore or, if they can't get them onshore, then they arrange for Jamaican workers. They do all the administration of the thing, and any financing that is required.

**Mr. McKessock:** You have no connection with that?

**Hon. W. Newman:** We do have a federal-provincial programme for seasonal housing for labour that comes in. Funds are used to improve housing and living accommodation for seasonal workers. That programme has been reduced somewhat this year.

**Mr. McKessock:** I know that the fruit growers like offshore labour, but they're getting more concerned all the time about the cost. By the time they pay all their expenses, it gets pretty costly. Have you got any programme or any thoughts of any programme to assist them in this way?

**Hon. W. Newman:** Not at this point in time. They must pay the transportation costs—and, of course, costs are increasing. We do get the odd case where a worker will have to return home because of an illness in the family, and that makes it very expensive for the farmer. We don't have any programme, but we do have a seasonal housing programme.

**Mr. Spence:** Do you house the Jamaicans who come and work in the canning factories?

**Hon. W. Newman:** No, we don't house them at all, specifically. If an individual farmer wants to fix up a building so that there is running water or washroom facilities, they can apply for a grant from the ministry to make the accommodation more livable or more usable for the offshore workers.

**Mr. Riddell:** Is their housing subsidized at all?

**Hon. W. Newman:** No, the actual housing is not subsidized, but we actually have funds within the ministry, though they were cut somewhat this year. For instance, if farmer A decides he needs three offshore workers or three seasonal workers, if he doesn't have proper accommodation he can apply for a subsidy to help him fix up the accommodation he has so that they have proper facilities, running water and washroom facilities.

One of the problems we are running into is with municipalities which have very stringent bylaws. They are reluctant to allow the farmers to let them stay in this accommodation even though it is only seasonal. We have been doing some work on that too.

**Mr. Eaton:** I would just like to express the kind of problem you run into. I just finished talking to a constituent who for the last two years has had six offshore workers with him. They always apply through the Canada Manpower office. They have applied again but they have only been allowed two. The Canada Manpower office which allowed them only two can't provide them with local workers and they are quite concerned about it. The attitude right now is to keep them out, but they need them now and they can't get the local help. They expect these people would be with them the full year of their harvest season, right through to the end of the tobacco crop, and here they are with only two workers when they should have six. When you talk about providing local jobs, they are holding them for them but there is no one to take them.

**Mr. MacDonald:** Before we leave the manpower, I can't lay my hands on my copy of your annual report, but I remember distinctly reading in it that your grants for housing purposes for labour were off significantly in the last annual report. That would be the year ending March 31, 1975. Is that trend consistently down?



**Hon. W. Newman:** It is down about \$400,000 for the 1976 budget.

**Mr. R. G. Bennett:** We had a budget in the fiscal year previous to the last of \$600,000 and we spent all but less than a hundred dollars of it. It was all used. As one of the constraints that we have in this budget, that has dropped to \$400,000. I think you will recall when our estimates went through when this item came up a year ago, we had estimated that over a three-year period we would along with Canada Manpower initiate a \$2-million programme to move on with this programme. We are still committed to the \$2-million programme. But instead of doing it in three years, we are going to do it in five and in that way we can reflect constraint in our annual budget.

**Mr. Spence:** Do you use trailers in this manpower housing?

**Mr. R. G. Bennett:** Mobile homes?

**Mr. Spence:** Mobile homes, that's it.

**Hon. W. Newman:** I believe mobiles are not used.

**Mr. R. G. Bennett:** We don't lay down a stringent rule that they can or they can't. We say if they can get a satisfactory arrangement with the local municipal bylaws—and this is always a concern in any of this housing, that they have to comply with the local municipal building bylaw—if they can be allowed there, then we will entertain it.

**Mr. G. I. Miller:** How much money was available for housing for immigrant help or offshore labour?

**Hon. W. Newman:** I think it was \$400,000 this year.

**Mr. R. G. Bennett:** This coming year it is \$400,000.

**Mr. G. I. Miller:** Is that what you are talking about in the \$2-million programme over a five-year period?

**Mr. R. G. Bennett:** It was \$2 million over a three-year period. It is still \$2 million, but we are stretching it to five years so that we can set up a constraint policy.

**Mr. G. I. Miller:** Has all that money been utilized?

**Hon. W. Newman:** Yes, it has all been spoken for. The \$400,000 for this year has been allocated.

**Mr. R. G. Bennett:** It has or will be.

**Hon. W. Newman:** It has all been spoken for.

**Mr. R. G. Bennett:** But it is moving along quite well.

**Mr. G. I. Miller:** When we are talking about offshore labour, it was brought to my attention that there is a programme available for young students to live on the farm. Do you pay so much per day and they can't work?

**Hon. W. Newman:** They can't work?

**Mr. G. I. Miller:** Yes, they are not supposed to work when they are there.

**Hon. W. Newman:** Our junior agricultural programme takes students, primarily from the cities or the towns, who want to get an agricultural experience and actually work on a farm. They are well-screened and they are interviewed by our workers. For instance, if a youngster lives in Toronto, he is interviewed by a particular person within our ministry to see if he would be suitable to work on the farm. It works out on the basis, I believe, that we pay \$8 and the farmer pays \$8. We take 200 students on this programme.

If the students have had farm experience or they come from a farm, we feel they are not qualified for the programme. The whole idea of the programme is to get some of our younger people out into the farm atmosphere. It is amazing how many—I can't give you the exact number—who have become very interested in agriculture. This gives them an opportunity to work with a farm family or live with a farm family and become part of that family for the summer. The programme with 200 students has been filled for this year.

**Mr. MacDonald:** That's a so-called non-agricultural estimate, is it?

**Hon. W. Newman:** Right.

**Mr. G. I. Miller:** How do the students qualify for it actually?

**Hon. W. Newman:** The student would make an application but we have first to have the application by the farm families for students. Then the student is interviewed, whoever he or she may be, by our staff. We discuss it with them to feel them out if they really are interested in working on a farm or if they just want an experience. We want to make sure that the family

which takes the youngster in is compatible with the youngster. We try to take the young person and fit him into a farm family where he will be compatible, be part of the family unit and work together with the family unit.

**Mr. G. I. Miller:** When did this programme start?

**Hon. W. Newman:** Last year.

**Mr. R. G. Bennett:** It is actually in its third year now.

**Hon. W. Newman:** Third year, sorry.

**Mr. Riddell:** But they only qualify for one year.

**Mr. R. G. Bennett:** That's right.

**Hon. W. Newman:** Right.

**Mr. G. I. Miller:** I had a call from a person in my riding who said there was no way that they could ask these kids to work, and it seemed to defeat the purpose.

**Hon. W. Newman:** What do you mean there was no way they could ask them to work?

**Mr. G. I. Miller:** They said they could stay there but they couldn't ask them to do anything, such as help with the crops.

**Hon. W. Newman:** The whole idea of the programme is to interview these youngsters first to make sure that they would fit in on the farm and would take part in the actual family chores and the jobs that have to be done on the farm.

**Mr. McKessock:** Apparently it is on the application that they can't use them to pick strawberries and there are certain other things they can't do. I have had farmers contact me who have said there is no way they will enter into an agreement with them like that, that they will hire them without going through this agreement.

**Mr. G. I. Miller:** It seems to me it's a good idea, but it should be broadened to give them the right to do some labour. Could we have some information about it? I was never aware of it.

**Mr. MacDonald:** It is all here on the sheet, but I just wanted to raise one point. You mentioned on the training allowance that the ministry pays \$6 and the host farmer pays \$5 in cash and \$5 on supplying room and board for a total of \$16.

**Hon. W. Newman:** I am sorry, I thought it was \$8.

**Mr. R. G. Bennett:** As has been mentioned here, the money paid is a training allowance. We have to draw a line between what is a farm worker and what is a person out for training. As for this question on strawberries and so on, most of the young people that go into this programme could well get work picking strawberries on a piece-work basis at regular wages and be classified as farm workers. If they are over 16, they could be classified as farm workers and make a lot more than this in certain things. You have to differentiate between farm wages, if they go out on that type of a job, and getting a training allowance where they are not expected to take the place of a man on the farm.

**Mr. G. I. Miller:** If you are going to train, I think the basic training is to learn how to work, and I don't think it's a bad idea. Again, in view of what are we spending on offshore labour and associated services, maybe more money could be put into this field, but we should expect them to do something in return for it.

**Hon. W. Newman:** I think, by and large, there are many jobs that they are expected to do. I will be quite honest with you, I have had cases brought to my attention where they expect a young person, even young girls who go out on the farm, to do the very heavy job of a full person who has been on the farm. The whole idea of the programme is to get them involved in the agricultural field and to get them to understand it better. It is pretty hard to ask a 17-year-old girl to do heavy work. Maybe it's not, when I look back in my history. It is pretty hard to ask them, if I may use that word, to throw bales of hay around from early morning until late at night. It is pretty heavy work. I think you have got to use discretion and that is why they are interviewed before they go out on the farm.

**Mr. McKessock:** I think some of the farmers feel if they are going to be teachers they should be paid, rather than having to pay them.

**Hon. W. Newman:** It's a fairly new programme. I thought it was \$8 a week, and it was, they tell me, at one time.

[8:45]

**Mr. MacDonald:** How many applicants did you have, just out of curiosity? Are you right, there were only 200?

**Hon. W. Newman:** Two hundred for the programme.

**Mr. Gaunt:** There were a lot more applicants though.

**Hon. W. Newman:** Yes, about 700 applicants.

**Mr. Gaunt:** That's what I was told.

**Hon. W. Newman:** I'm not sure how many families there were that were prepared to accept them.

**Mr. Gaunt:** Over 300—about 349 was the last figure I had because I was trying to get one in and couldn't.

**Mr. G. I. Miller:** What is the cost of the programme then? The overall programme.

**Hon. W. Newman:** I'll tell you in a second as soon as I get the total.

**Mr R. G. Bennett:** It was \$109,100.

**Mr. Gaunt:** Mr. Chairman, just on this point, I think this programme, by and large, is a very good one. I think it is well received by the farmers and by the young people who are involved in it. As far as the mundane labour jobs are concerned, frankly I don't think it hurts a young person to pick up strawberries for half a day. I don't think the young person or the farmer could expect the student to be driving the tractor all the time.

I think education entails a much broader spectrum than just doing the easy things or just walking around behind the farmer in a kind of learning experience. I picked strawberries for nothing on many a day and I don't think it hurts anybody to do it occasionally. The only thing I think one must be careful of in this kind of situation is that the farmer doesn't use it as a source of cheap labour. That's the only point. If that can be resolved and can be assured then I think the education of those young people should be as broad and as wide as possible, and that may very well include picking strawberries two or three mornings a week when the strawberry season is in.

**Hon. W. Newman:** You've got a good point if that is on the application. I didn't know it was on the application that they weren't allowed to pick strawberries. I don't think picking a few strawberries hurts anyone. We'll have a look at it.

**Mr. MacDonald:** Is it on the application?

**Hon. W. Newman:** I don't know.

**Mr. R. G. Bennett:** I think maybe the thing here is—and we'll check it—what we were trying to differentiate between is that this programme wouldn't be used by seasonal cash crop farmers where their main business is they would be picking strawberries all the time. They could be hired as full-time workers for that type of work, and many of them are up in Essex and Kent and down in Niagara. They use a lot of students as full-time farm workers, as against trainees. Certainly, if a general farmer had some strawberries and they needed to be picked I don't think there is any fight that they couldn't go out and pick those strawberries. They've got to differentiate between a seasonal worker and a trainee. This is really the thing here.

**Mr. G. I. Miller:** But the whole theory is, in offshore labour, the reason they would rather have them than our own Canadian people is the fact that they can depend on them and know that they are going to be there and that they can work for a full day. I think we should teach our kids to do the same thing. It certainly doesn't hurt them.

**Hon. W. Newman:** We are, but the offshore people usually are here for much longer periods than just the summer season, that's the whole thing. They are here for something up to eight or nine months at a time.

**Mr. Johnston:** My subject has been touched on. I would like to speak on offshore labour and the fact that we have a high rate of unemployment. I can't see the sense in bringing these people in, with the exception of some of the points that have been brought out, but certainly we should educate the people that they should accept other jobs than just maybe a particular field that they are interested in.

I think Mr. Gaunt made an excellent suggestion, for instance, that picking strawberries won't hurt anybody. I have some constituents who are concerned about the fact that they have to pay minimum wages for apple pickers and yet in Michigan—I think it's Ohio—they pay \$1.85 or \$1.95 an hour minimum wage and it is hard to compete with them. I think we should try to put some emphasis on the fact that our unemployed people should be willing to accept jobs of this nature.

**Hon. W. Newman:** I agree with you. Another thing we are working on is, of course, we are working with Correctional Services to take young people out of the institutions and take them out to work on the farms. We



did a bit of experimental work last summer with it and we are going to do some more. We are working with them on that. As far as the minimum wage is concerned, we have already had discussions with Ottawa regarding the minimum wage here.

Some of our young people and part-time workers like and enjoy going out picking apples, say, over the weekend, but farmers can't afford to hire them at the present minimum wage. Farmers especially needed help last year when they had a very heavy apple crop, and there was a tremendous amount of work to be done. This affected the price of apples last fall.

**Mr. MacDonald:** Mr. Minister, last Sept. 9, which by a strange coincidence happened to be during the election campaign, Premier Davis was in Ridgetown. He gave a speech, and here are two paragraphs from it:

In any event, I propose to introduce an income tax rebate policy for any person employed on a seasonal basis in the harvesting of agricultural crops. Thus, anyone so engaged in seasonal work on the farm could claim a tax rebate representing his or her provincial income tax payable. The more income the worker earned and the longer period of his employment, the greater the rebate, which could amount to as much as \$150 for a full season's work.

Additionally, we would propose to the federal government that as a matter of national policy it should extend a \$1,000 tax exemption to any Canadian engaged in seasonal work on the farm. But whether or not the government of Canada responds to this, the government of Ontario is prepared to rebate its share of provincial tax to those who are seasonally employed in agriculture.

We have since passed the budget. Has it been done?

**Hon. W. Newman:** No, it hasn't been done as yet; but let me explain to you what has happened up to this point of time. We have had a number of deliberations with ourselves and with the Ministry of Revenue. Our position papers for federal talks are in the process of being prepared. I am not sure when we are going to Ottawa to try and talk to them about it, but we want to be well prepared. I think somebody could give you the date. We have actually been working with the Revenue ministry very closely on this matter, but it has not been accomplished as yet.

**Mr. MacDonald:** Do you mean to say you have to go down and have a lengthy chat in Ottawa to be able to give a rebate on the provincial income tax?

**Hon. W. Newman:** No, we are working on the provincial end of it here now.

**Mr. MacDonald:** Let's forget the Ottawa end. That's an excuse for 10 years of procrastination. Let's talk about the provincial, which is wholly in your jurisdiction. What have you done on it?

**Hon. W. Newman:** Well, we have been working at it with the Revenue ministry, but so far we haven't come to a final situation on it as yet.

**Mr. MacDonald:** Aren't you going to be embarrassed if you don't have this done before the next election comes?

**Hon. W. Newman:** Well, it may be tomorrow night; so I don't know whether I'll be gone by tomorrow night or not.

**Mr. MacDonald:** Wouldn't you be red-faced if you had to go out on the hustings on this?

**Hon. W. Newman:** No, because we are very sincerely working on it—and we will work it out.

**Mr. MacDonald:** When? Which year?

**Hon. W. Newman:** I would have to talk to the Minister of Revenue about that. I don't want to put a specific date on it, but we are certainly very definitely working on it right now.

**Mr. MacDonald:** Do you think it will apply to this year?

**Hon. W. Newman:** The 1976 fiscal year?

**Mr. MacDonald:** Yes. The 1976 tax year.

**Hon. W. Newman:** Hopefully, it will be worked out this year—and I would anticipate we will get it worked out this year.

**Mr. MacDonald:** If it isn't announced before the next election, I give you fair warning I'll use it against you.

**Hon. W. Newman:** Oh, I am sure you will.

Interjections.

**Mr. Spence:** Mr. Minister, offshore labour stays throughout the harvest season, which is very satisfactory to the farmers. We have farmers who just fight tooth and nail for offshore labour, because they feel secure

that they will be there to complete the harvest—which is a great guarantee for them. I don't know how we could get this assurance with our own local labour. We like to see our own labour get the jobs first, but there is no assurance to the farmers that they will stay. We have no worries about offshore labour staying to complete the harvest.

**Hon. W. Newman:** That's a good point. Also, some do come in here fairly early in the growing season and carry right on through to harvest.

**Mr. Spence:** Right. Some of them stay right from planting time to complete the harvest.

**Hon. W. Newman:** That's right; sometimes as long as nine months.

**Mr. McKessock:** Under livestock, I wonder how you can successfully use such a small amount of money as Ontario Beef Cattle Performance Association, \$500, Ontario Provincial Council of Rabbit Clubs, \$100, Ontario Sheep Breeders' Association, \$500, Ontario Swine Breeders' Association, \$500, and Ontario Pork Industry Council, \$500.

**Hon. W. Newman:** These are grants under the Act to these various organizations.

**Mr. McKessock:** That is just a capital grant?

**Hon. W. Newman:** No, that is just a straight grant.

**Mr. McKessock:** A straight grant to each of these organizations?

**Hon. W. Newman:** Right.

**Mr. MacDonald:** Advisory services—it runs through all that two pages?

**Hon. W. Newman:** Yes it does.

**Mr. Chairman:** That's right.

**Mr. MacDonald:** Hold it now. What about crop insurance?

**Mr. Chairman:** Crop insurance is a separate item.

**Mr. MacDonald:** Mr. Chairman, I have a number of items on food land development, which I understand includes your food land development branch. Is that right?

**Hon. W. Newman:** That's right.

**Mr. MacDonald:** The May 11 issue of Farm and Country had an article on land use

guidelines scheduled for fall and one paragraph says: "Spencer says the guidelines will include more clearly defining agricultural zones. Proposed are five agricultural designations: commercial, agricultural-recreational, agricultural-industrial, buffer, and possibly agricultural-conservation."

I've two questions: What exactly is likely to emerge from these guidelines, and related to that, what has happened, if anything, with the Huron study? The Huron study was a jointly sponsored study between the provincial government and the county of Huron in which they spent as I recall \$110,000 or \$120,000, 80 per cent of which you picked up.

**Hon. W. Newman:** By TEIGA.

**Mr. MacDonald:** By TEIGA, was it? Other than a passing reference in your "Strategy for Ontario Farmland" there has been no particular emphasis on it. I must confess I found it not only interesting but a study that seems to suggest how we might come to grips with the whole problem of mapping out guidelines. They came up with more new jargon, perspectives, or priority areas, and their proposal was the five priority areas—urban, rural, recreation, forestry and, when you got out into some of the hinterland areas, mineral.

This story comes up with commercial—now what exactly is commercial?—agricultural-recreation, agricultural-industrial, buffer—I can guess what buffer is—and possibly agricultural-conservation. The Huron study seems to be neater and much more logical. They talked of something that would be in an urban perspective or an urban priority, but it was recognized that in the buffer area—if you take Goderich, for example, you have the urban core and then you have a buffer area—agricultural use might be permitted in the buffer area, but it would be an urban designation for the next five or 10 or 20 or 30 years, with perhaps 10 years' notice as to when it would be phased out. But it was so chopped up, so fragmented now, for agricultural purposes and it would be needed for urban purpose ultimately. It was in the urban perspective. The rest of it was solidly rural, or recreational, or in other areas it might be the forestry or mining. That rings bells. That sounds sensible. I'm curious to know what all these new names are.

**Hon. W. Newman:** I think, by and large, talking about Huron and the Lambton-Sarnia, Simcoe-Georgian studies and to some

extent some of the other areas they are working on right now, the idea is to try to clearly define and say we know the growth needs for Huron or for Lambton or Simcoe county to the year 2,000. It's X number of people now and will go to X number of people by the year 2,000, so they clearly define urban boundaries where there can be a certain amount of in-filling, and with a buffer zone around it for long-range planning, and not get this scattered haphazard development we had in some areas of the province before.

[9:00]

I think this is a very comprehensive approach to preserving agricultural land, to define these other areas, the urban growth areas, buffer zones and agricultural and recreation lands which would be in Huron and in other areas which would be used for recreation but would always be available some time down the road if necessary for agricultural use, whether in the year 2000 or the year 2050.

**Mr. MacDonald:** I understood that. Forgive me, but you've just confused me a bit by your comment. I thought I understood it before you spoke. I understood it when I read the Huron report. What are the guidelines going to do? Are they guidelines that will be laid down from here? I agree with this aspect of your policy. I think the initiative and the public involvement clearly have to take place at the local level. The proposition that everything is going to be decided at Queen's Park is obviously not an acceptable one. What kind of guidelines are you going to give to a local area? Are they guidelines to the planning people who take the initial steps to map out the perspectives or the priorities? Then they go to public meetings and you get all the public input. It's finally adopted by the council and from there goes to the county council and to the regional council and so on.

**Hon. W. Newman:** Remember that in the initial stages the local elected representatives are very much involved, as well as some of our people and the local planners. I think this is very important because who knows the area, whether it's Huron or Durham region, where I live, or Lambton or Niagara, and its needs better than do the people in the area, to do the basic concept of what they feel they can do to preserve agricultural land and allow for growth to the year 2000?

**Mr. MacDonald:** Let me give you a specific case. Suppose, for example, since you are so resistant to the proposition that there should be legislation to freeze all class 1, 2 and 3 land to preserve it for agricultural purposes, but with a mechanism for considering exemptions, since you won't accept that, how is it going to operate as an alternative? Suppose out in County X with a lot of pressures that we know go on from people who want to use prime agricultural land for other purposes and, as the Gloucester and Nepean study shows, the development has gone on on prime agricultural land, while quite close by is lower class land that might have been used within the county, are you going to intervene? Or will the food land development branch intervene and say, "What you are doing is gobbling up 50,000 acres of prime agricultural land in the fashion, for example, that it was gobbled up in the Townsend site down in Haldimand-Norfolk."

Are you going to step in and say, "No, that shouldn't be done, because we are wasting prime agricultural land and there is land of lesser value elsewhere for purposes that are non-farm"?

**Hon. W. Newman:** Let me explain it to you this way then. In every official plan that is brought forward from the county, region or municipality of the province for approval, there is an input from the food lands development branch on these plans. They meet with the elected people to discuss under the Canadian land inventory maps the best areas to preserve for agriculture and the areas they should be looking toward for development, the poorer land in the area. These guidelines are being developed within this province. We will have very specific guidelines laid out, hopefully, by this fall. They are in the process of being prepared at this point in time.

Even now we are commenting and having discussion with Housing and TEIGA on these food lands. In the Niagara Peninsula we've had lengthy discussions on the guidelines of what should or should not be developed as far as food lands are concerned. We will outline many things to be considered in our position paper. But even now in the class of land resources that are available, these are some of the things our food land branch will be doing.

We know there is a need for housing, we know there is a need for commercial and industrial development and we want to try to guide the municipalities, counties and regions as much as possible and to have our food land branch make wherever possible—I say wherever possible—they do this on the



less desirable agricultural land. As I mentioned earlier, there are the industrial parks incentive programmes, NODC, and EODC.

**Mr. MacDonald:** Without exhausting this topic, because I may want to come back to it, let me come to a related one. You seemed to suggest in one of your comments that your food land development branch was going to use the CLI categories, class 1, 2 and 3. What are you doing to speed up the updating process? I was astounded to discover that when some of the people were unhappy out at Guelph about what is going on in terms of using prime agricultural land, it resulted in an updating of the CLI down in Haldimand. I don't know whether Haldimand was originally done in 1925 or 1928 or the early 1930s or what, but they discovered that in 1928 in the area that is now part of the Townsend site, only seven per cent was class 1. When they updated it, 37 per cent was class 1. Class 2 was 92 per cent but in 1974-1975 it was down to 37 per cent for class 2.

**Mr. Nixon:** Someone suggested that there's been a lot of money spent in drainage in that period of time there. Probably a lot more would have been in class 1 if you could spend a lot more money on drainage.

**Hon. W. Newman:** This year, even with the restraints that are on, we are hiring more people to work on the updating of our land surveys in the Province of Ontario. I have to admit, quite honestly, that we're behind in our land surveys but we're taking on additional staff this year.

**Mr. MacDonald:** What are you taking on? The information that I have is that Ontario has three pedologists. That's a professional soil surveyor, and that's the same as Newfoundland. That's not bad when Ontario, the leading province, is matching Newfoundland on a programme that's supposed to be an urgent programme.

**Mr. Lantz:** We are hiring six more.

**Hon. W. Newman:** We're hiring six more pedologists, plus the backup, for a total of 10.

**Mr. MacDonald:** Plus the backup what?

**Hon. W. Newman:** Plus the backup of four which will give us a total staff increase of 10.

**Mr. MacDonald:** You've got three now and you're hiring three more and you've got a backup of 10?

**Hon. W. Newman:** We're hiring six more.

**Mr. MacDonald:** The interesting thing is that Newfoundland, which, God knows is not an agricultural province of particular note, has as many as you've had this year, BC, which is not an agricultural province except for the pockets of precious land in the Okanagan Valley and other valleys and so on, has 20. In other words, BC has had in the past 20 of them where you are going to have 10 this year. I just suggest to you that we really have been dragging our feet because we're working in the dark. Mr. Nixon may be right in that drainage has upgraded certain categories.

**Mr. Nixon:** I got it on very good authority.

**Hon. W. Newman:** We've been at it much longer than BC has in doing this soil programme. As I say, we're bringing in six more pedologists this year. We have some old surveys. There's no doubt about it. We're updating them right now. We have primary counties and we figure where the prime interest should be at any one time.

**Mr. MacDonald:** What percentage of your original CLI surveys have been updated?

**Hon. W. Newman:** I can't tell you off-hand, I'd have to ask somebody else what percentage has been updated.

**Mr. MacDonald:** You say you've been at it for a long time.

**Hon. W. Newman:** We've been updating it, yes. We also are taking on additional technical staff and pedologists this year to step up our programme. We're running behind; there's no doubt about it. We're hoping to move ahead and get caught up on it. Maybe Mr. Lantz would like to comment on it.

**Mr. Lantz:** I think we're running about eight to 10 counties behind at the moment in the whole area. As the minister said, we've been at it since the 1930s so that the CLI information is really not that outdated, except for those counties that were done in the early stages in the early 1930s and the mid-1930s. These are now being updated with the extra staff that's being put on.

**Mr. MacDonald:** Your updating process began back in the 1930s?

**Mr. Lantz:** No, it's been going on but they could only do so many a year. We've got some very recent ones. It's to go back to the more original ones that were done in those days that are perhaps not as precise as they are now. Obviously, it's a continuous thing

and it's the early ones that are being updated now. I think there are about eight or 10 counties that need to be brought up. By this time, there will be some of them that will need to be updated again.

**Mr. MacDonald:** Would the eight to 10 counties comprise a significant proportion of our prime agricultural land, class 1, 2 and 3?

**Hon. W. Newman:** I'm not sure which ones they are. Is Elgin one?

**Mr. Lantz:** Mr. Spencer suggests that perhaps 10 per cent would be prime agricultural land, maybe two million or 2½ million acres. The programme itself, of course, is a federal-provincial programme, and so it is a joint endeavour. The federal people and Ontario both have a pedologist and are working on it. So, really, I'm going back to what I said earlier, that this is an effort to step it up beyond the level of survey that we've been able to do in the last few years.

**Mr. Nixon:** I just wanted to ask the minister—along the lines of Mr. MacDonald's questions—if the policy is changing that has in the past permitted our agricultural representatives to offer professional advice to land division committees and severance committees; has that been discussed already?

**Mr. Lantz:** Yes.

**Mr. Nixon:** It's been discussed here?

**Hon. W. Newman:** No, not here.

**Mr. Nixon:** The minister no doubt has received the same objections as the one I received from Oxford county from the land division committee. They have relied on the local ag rep to give the kind of advice that they have really acted upon, since he was very familiar with the individual parcels of land and often very familiar with the people and what their intentions would be having to do with the severances—let's say for a farmer's son or somebody who was going to become involved. I was quite surprised when it became apparent that the ag reps were not going to have the authority to do that anymore, and I think that's regrettable.

**Hon. W. Newman:** Yes, I take the responsibility for it—and I'd be glad to explain it to you. What we were finding in many areas is that the ag rep was making comments on land severances to farmers with whom he had been working on a daily basis, and it put the ag rep in a bit of an awkward spot. After all, they had been working with the farmers for many years and they were commenting

directly to land severance committees on the use of that land.

As a result, this put the ag reps in direct conflict with the farmers they were working with on a daily basis. It makes it awkward for them to go in and comment on land severance one day with a farmer, and go in and do a test on his herd the next day.

What we have done is we are setting up four soil specialists who will actually set working guidelines for land severance committees or land division committees, whichever you want to call them. We will actually be getting direct comment out on land severances upon request—rather than the ag rep going before the land severance committee and giving his opinion. He will not now be directly involved on a consultation basis with the farmer himself, with whom he has to work with on a daily basis in other areas.

**Mr. Nixon:** Was this as a result of requests from the ag reps to be relieved of that responsibility for that reason?

**Hon. W. Newman:** I would think some ag reps were quite willing to comment; some were not. We thought that it put them in a very awkward position to comment on land severances within the various counties or regions in the Province of Ontario. We certainly felt that we had other experts who'd be going in and giving advice and setting up guidelines for these land severance committees. As I say, this then avoids a direct conflict.

**Mr. Nixon:** And so you are providing a professional, but sort of arm's-length service at their request—are you?

**Hon. W. Newman:** No, not at the request of the land severance committee. The land severance and the land division people did not ask for it. They were quite happy with the ag reps commenting.

**Mr. Nixon:** Yes, but now that the ag rep cannot comment, you are providing an alternative.

**Hon. W. Newman:** If they want that service, that's right.

**Mr. Nixon:** Do you have to send somebody out from Toronto, or from where?

**Hon. W. Newman:** We will eventually have about four people in various regions of the province who will be dealing with this particular problem. They will be seeking advice from the ag reps, but they will be making

the submission to the land severance committee.

**Mr. Nixon:** Independent of the ag reps, I suppose?

**Hon. W. Newman:** That's right. It does not put the ag reps in awkward positions. It is kind of awkward for a lot of our ag reps. They all do a great job in the field. He might be at your house having dinner and you might want a severance—

**Mr. Nixon:** Yes, and I may tell him about it.

**Hon. W. Newman:** It just makes it a little better for the ag reps. I met with the ag reps across the province and talked to them in the last two weeks, and by and large they really think this is a good thing to take this off their shoulders. They will not be in conflict with the people with whom they work on a daily basis.

[9:15]

**Mr. Nixon:** What advice did the—I suppose at that time it was the Treasury department, but now the Ministry of Housing—what advice did they seek from the ministry having to do with the quality of lands in the Townsend site or in the Edwardsburgh site, other areas where certainly the viability of farm land would be a matter of concern?

**Hon. W. Newman:** As far as ordinary subdivisions are concerned, our food land development branch is involved in all these sites. When official subdivision plans come in from the municipalities, they do have comment on that.

**Mr. Nixon:** But in the case of Townsend, which is evidently going to go forward—we toured it with the Minister of Housing (Mr. Rhodes), and there were others there, just last week; the hon. member for York North (Mr. Hodgson) was there—decisions have been made where the city centre is going to go. I can't tell you that it's exactly like the Holland Marsh or even like South Dumfries township in all respects, but I was just wondering how those people are going to answer the criticism that often comes from people about using the good farm land. I am not sure where the city centre is or whether that was one of their considerations, but if they are going to establish a city centre there it is certainly going to fan out into some class 1 and 2 land. There's no doubt about that, and I would like to be assured that there was some consultation before the fact.

**Hon. W. Newman:** Well, there would be.

**Mr. Hodgson:** There was consultation there as far as the planning consultant that we chose to make a recommendation on Townsend—

**Mr. Nixon:** He's from England, isn't he?

**Mr. Hodgson:** No, not necessarily from England. He might have been English. A lot of people in this room are from England at some time or another.

**Mr. Nixon:** Well, they didn't get off the boat—

**Mr. Hodgson:** My mother came from England.

**Mr. Nixon:** She didn't get off the boat and start planning a major new city of 200,000. They waited for a week, at least.

**Mr. Hodgson:** But you will agree, Mr. Nixon, that the site they have chosen for Townsend city is not the best land in the 14,000 acres, and they hope to use only, even when the city grows to 100,000 people, 5,000 acres of the 14,000 that we have bought, and to protect the farm land in Haldimand-Norfolk area so it will remain farm land for a good many generations from now in and around the city site.

**Mr. Nixon:** I have the feeling that a lot of that sort of consultation takes place after the fact. You can't tell me that Ontario Hydro approached the minister's predecessor before it decided to put up that big plant, which is the largest fossil-fueled plant in North America, a very impressive thing; one generator was working the day we were there. You can't tell me that they consulted with the Ministry of Agriculture and Food.

**Mr. Hodgson:** You are not being exactly fair when you make that last statement.

**Mr. Nixon:** It's completely fair. He said only one generator was working, and he wouldn't tell me how much the place cost either.

**Mr. MacDonald:** About four or five years ago some of us were invited over to community development branch in TEIGA to find out how they operated and in the course of the discussion we asked them whether they were aware of the decision made secretly by Stan Randall back in those days, with regard to some of those developments, if they were aware that those developments were going to take place, be-



cause they were showing how they assisted in the planning. It was very clear—they didn't give us an answer, you just had to read their faces—they didn't know.

**Mr. Nixon:** But I have a feeling that consultation is something that sort of takes place afterwards. The Treasurer went down there with \$22 million in his pocket, bought more than half a township and the city was going to be rising by this year. Well, it's going to be a little later. There are all sorts of interesting reports on that thing, but it wasn't until quite a bit later that we had the statement, ah yes, certain parcels were going to be set aside and be leased back to the dairy farmers so that they could increase their herds. Did anybody consult about the need to increase the dairy herds? I mean, there are a lot of consultations that might have gone into this.

**Mr. Hodgson:** You were on the tour, as you said the other day, and I shouldn't be getting into this at all.

**Mr. Nixon:** Sure, why not?

**Mr. Hodgson:** You can see a need for housing in that area. You saw the immense plant that is already visible by Texaco, already by Stelco, Ontario Hydro, which is not going to employ a lot more people, but the industrial park that has been created by Stelco and there is going to be a great need for housing in that area. Where are you going to place housing if you don't place it on land? I don't know. The opposition has been preaching all these years that we've got to save all the land but build housing. How in the hell are you going to build housing if you don't build it on land?

**Mr. Nixon:** You could grow it—

**Mr. Hodgson:** Just a minute, if you had been at the first report given by Llewellyn-Davies Weeks—

**Mr. Nixon:** Are those your English friends?

**Mr. Hodgson:** Those are our English friends. There was a fellow by the name of John Carson. I really believe he is a good planner who knows what he's talking about. If you had been there, you'd have seen that he hasn't chosen the best agricultural land in that site. I think you'll be the first to admit it after seeing the tour.

**Mr. Nixon:** But you say, what was the alternative? You're got a report paid for by money authorized by your own committee. It tells you the development is premature and

that you're going to be wasting up to \$40 million—that's what the report says—because the development could go on the town centres and the urban centres already established. Admittedly, there's land for it.

**Mr. Hodgson:** You were in Jarvis the same as I was the other day and they didn't have a bloody bit of water in Jarvis even to flush the toilets. So how are you going to put more development in there?

**Mr. Nixon:** You make a really good point. Jarvis is not just a town that has developed overnight.

**Mr. Hodgson:** They're on community water but they haven't got any.

**Mr. Nixon:** We have spent hundreds of thousands of dollars to oversize the water intake down there. If you people in the government, the Ministry of the Environment and those people were on your toes you'd have water there long ago because you can't leave the toilets unflushed, can you?

**Mr. Hodgson:** That's right; you couldn't even get any water to mix in your rye that day.

**Mr. Nixon:** But where are you going to get the water to flush the toilets in your new town? Not out of that creek.

**Mr. Hodgson:** That's all going to be provided for.

**Mr. Nixon:** Boy, that creek is going to be a lovely river by the time you get through with the water you pump through there.

**Mr. Hodgson:** As I say, you were invited there. You're not hearing your friend, Gordon Miller, your colleague, talking against it because he heard the report. But you weren't there to hear it.

**Mr. G. I. Miller:** Give me a chance to speak.

**Mr. Hodgson:** You okayed it that day right in county council, so I don't know how you're going to talk against it here.

**Mr. Nixon:** The chairman of the planning committee down there in our area is talking in very broad and general terms. As far as approvals are concerned, the approvals have come from that planning committee of which he's the chairman. But he knows they have a report that indicates the decision is premature. It's really unfortunate that there's that sort of a report there, as far as the chairman and the government are concerned, be-

cause the people are very concerned that the government has this bee in its bonnet, this egg that John White laid, and all of you are going to be sure that it hatches nicely. You're talking about a city of 200,000 not 100,000.

**Mr. Hodgson:** No, we're not.

**Mr. Nixon:** As I say, that's what John White was talking about.

**Mr. Hodgson:** That's not what we're talking about.

**Mr. Evans:** Mr. Chairman, we're not on the vote.

**Mr. Chairman:** Let's get back to the vote.

**Mr. Nixon:** All right, but the consultation on farm land area just concerns me because I feel it's done after the fact.

**Mr. Hodgson:** Just ask the hon. member for Brant-Norfolk-Oxford where he would put the people.

**Mr. Nixon:** Waterford, Simcoe, Delhi, all of those places.

**Mr. Hodgson:** There is farm land all around there, isn't there?

**Mr. Nixon:** The churches are there and the schools are there. They've got arenas that haven't caved in recently and they've got sewage disposal systems that could be enlarged. You could use them for the next 10 years and not throw away that \$40 million and not pave over the middle of the former good old Townsend township.

**Hon. W. Newman:** I'd like to give you some acreage figures that might be of some interest to you. In the Pickering site the acres acquired were 25,800. In the Pickering site the acres required were 25,800. Acres under farm lease at this time are 17,900.

**Mr. Nixon:** But you're not going to use any of it. That's ground to a halt.

**Hon. W. Newman:** The land that is going to be used in the Pickering site for housing will be in the poorer part of the area. It was well planned and our people were involved in the committee. I think even the member for that riding will admit that the site they're going to use for the housing end of it and for the industrial end is the poorest part of the land there. As I said earlier, there are 2,000 more acres of land being farmed there today than there was prior to the government ever starting to buy land there, which augurs well for the government on that one.

**Mr. Nixon:** Or expropriation is good for you.

**Hon. W. Newman:** That's the situation there. In the Townsend site there are 13,440 acres, and under lease at this time for farming purposes are 13,410 acres. In South Cayuga pretty well the total thing is under lease for farm purposes at this point in time. I could go on. I've got OHC lands here and Health lands and so on that are leased for agricultural purposes. Our ministry have been very much involved in getting farm land out for agriculture purposes and trying to get it out on longer-term lease so that young farmers can take advantage of the young farmer credit programme and get started farming there. I think it would be well worth your while to go out and see just exactly what's happening in Pickering. I think they are really making progress.

**Mr. Nixon:** I've seen the 1,000 acres there next to Brantford and the 3,000 acres up by Kitchener that have been held by the government for a long, long time. What the devil did you buy it for?

**Hon. W. Newman:** Who bought that? OHC?

**Mr. MacDonald:** Stan Randall.

**Mr. Hodgson:** They call that landbanking.

**Hon. W. Newman:** The Ontario Housing Corp. has 19,317 acres of which 16,100 are under farm lease at this point in time.

**Mr. Godfrey:** Inasmuch as I've been involved here, I certainly do not agree with the minister when he says this. He doesn't know where the housing is going to go and nobody has decided yet. There has been a rough division made. When he says it is on the poor farm land, sure, it is on the poor. It's not the class 1; it's the class 2. There are a few gravel areas through there over toward the eastern part of the west branch of Duffin Creek. But the simple fact of the matter remains that a York-Durham sewer is being built to service 200,000 people on the Pickering site. There is no way he can hold that as farm land when you're putting \$96 million into a York-Durham sewer.

**Hon. W. Newman:** Mr. Chairman, it's just not true. We're into the Ministry of the Environment estimates. I would be glad to discuss those with you, too, if you wanted.

**Mr. Godfrey:** Let's just get this out in the open. Three days ago here or whenever it was when we were talking about this, it was

200,000 people for North Durham and 186,000 people for southwest Pickering. That is the York-Durham sewer and there is no way that land will stay as agricultural with that type of sewage going in there. If it does stay as agricultural, then it is a gross waste of public funds to build it.

**Mr. Chairman:** Let's get back on to item 2 of vote 1702.

**Hon. W. Newman:** I'll debate that with you some other time.

**Mr. MacDonald:** I have a question that I think is very much tied in with farming but it also grows out of severances. I was rather interested in a brief, a copy of which came to me—I think through Stephen Lewis, as a matter of fact—from a chap who presented a proposal on what he described as a development strategy proposal to the cabinet committee on resources development.

He is down in Northumberland county and is involved himself in what is known as the hard-core poverty farms where some 30 per cent of the acreage of a farm is not suitable for agricultural purposes. Each time he tries to get a severance, he runs into difficulties, and I think I can guess what the difficulties are. The case he makes is that what you're doing is crippling that farmer in terms of getting the necessary capital for building his farm, the fertilizing of it and the necessary buildings and all the capital requirements for the farming. If that were done, instead of being a part-time farmer, he would clear out of Cobourg or whatever it is that he's working off the farm and become a full-time farmer. So you would assist the unemployment and so on.

In farms which will be designated, at least in a broad sense as agricultural, but where 30 per cent is not good for agricultural purposes, is it a feasible proposition in your severance programme in the future to permit severances in those pockets?

**Hon. W. Newman:** If the municipality or county or region would come to our ministry, we would comment on the suitability of that particular land for agricultural purposes. All we would do is comment on the suitability for agricultural purposes. There are many farms of, say, 80 acres of workable land and 20 acres of poor land. It may be rocky, but it may be all right for housing.

We have to keep one other factor in mind—and I'm sure the land severance or land division committee would keep it in mind—that if a severance is cut off the corner of that frontage because it is not good agricul-

tural land, if that's the reason for them allowing it, depending on the policy of the municipality or county or region on severances—whatever policy they have developed—there is always a possibility that whoever buys a severed piece of property is not fully aware of the implications of living near a farm. On a farm there are certain odours and certain things that have to go on from time to time during the year and people from urban areas are not aware of the kind of problems with which they are faced; immediately something happens, they make a fuss and go to Environment or the health unit, whichever it may be. But from an agricultural point of view, if it's poor agricultural land, we would comment on it and say that it's poor agricultural land.

[9:30]

**Mr. MacDonald:** Believe it or not, Mr. Minister, I once got to an agrologists' meeting, even though I didn't graduate from Guelph. One of the points that was being made at the meeting by the planner from North York—our friend has gone—was that the way you avoid pressures on the use of prime agricultural land is to do a bit of planning to isolate and make available for housing purposes the land that isn't prime agricultural land. It struck me that that sort of basic point, in relationship to what this man was saying, made an awful lot of sense.

Let's say 30 per cent of the farms of a group of farmers in an area is not really suitable for agricultural purposes, and yet this is an area where you need housing development. If your food land development branch or your severance branch—whatever it is—is working with them and says, "Okay, get that isolated as an area for development," then Joe Blow, who comes in and wants to get into the development game, knows right away that this is where he can do his building; this is where the development is going to take place; and he doesn't pick off another prime agricultural area that happens to be situated very conveniently to roads or to whatever it is attracts him.

**Hon. W. Newman:** As far as the food land development branch of our ministry is concerned, if you are talking about a plan or several lots in a small plan, again, a lot would depend on the local municipality, county or region; but as far as our comments are concerned, we comment on the agricultural use of land. There are also other factors. For instance, we might have some poor agricultural land in a sandy area; I don't care where it is in the province, it is poor agricultural land. First, they have got to think of the cost



of servicing that land. There are roads that will be involved, as well as schools, community services, garbage collection, community centres and all the other factors that have to be brought into the picture. But as far as our ministry is concerned, when you get back into some of the poor land in the Province of Ontario, certainly we would comment that it is not desirable for agriculture.

**Mr. MacDonald:** The answer to a man who is in this kind of a position, then would be to work in his local municipality to get the planning authority there; to isolate areas that are not good for agriculture, maybe part of existing farms, and say, "This is going to be made available in the future for housing development" and fit it into their whole supply and development of services. At the same time, it will permit the farmer to be able to sever and to get the capital for the development of his farm.

**Hon. W. Newman:** I don't know about the capital for his farm, because if he has poor land I don't know whether it would help him that much; but what we have been doing in our food land development branch—

**Mr. Mancini:** The farmer shouldn't have to sell lots to make his business prosperous.

**Hon. W. Newman:** Let me answer this question first, okay?

**Mr. MacDonald:** That sounds like a man from Essex. In many parts of the country they have to sell them. Ask your colleague from Renfrew North (Mr. Conway).

**Hon. W. Newman:** We have met with many of the areas; for instance, our people spent several days with the regional municipality of Durham, the area where I live, commenting on good agricultural land and poor agricultural land, making comments they can use in preparing the official plan for the regional municipality of Durham. That is the sort of thing the food land development branch does; they go out on request to various counties. I am meeting with one of the regions next week to discuss this very matter, so we do comment on it.

**Mr. G. I. Miller:** When we are talking about these new townships, who decides if they can be improved or not? Who do we have to deal with? If you want to improve your facilities on this land, who gives approval of it? Is it the minister of Agriculture and Food or is it the Minister of Housing?

**Hon. W. Newman:** Do you mean on government-owned land?

**Mr. G. I. Miller:** Yes. I am thinking particularly of the South Cayuga and Townsend townships.

**Hon. W. Newman:** It involves consultation with the Ministry of Housing, the Ministry of Agriculture and Food and the Ministry of the Environment; they are all involved.

**Mr. G. I. Miller:** And did you say that the South Cayuga township, which may not be used for X years, could be developed as a farm land?

**Hon. W. Newman:** It is at this point in time; I gave you the figures. At the South Cayuga site 12,574 acres were acquired, and 12,540 acres are under farm lease at this time.

**Mr. G. I. Miller:** And they can be improved?

**Hon. W. Newman:** They are subject to the same programmes as any other area. I'll use North Pickering for an example, because I know it well. There are a lot of young farmers on leased land in that area and they are subject to the capital grants programme and the young farmer loans.

**Mr. G. I. Miller:** Mr. Hodgson made a statement here about the waterline into Jarvis. I think before regional government came in, there was a plan for the waterline into Jarvis to be enlarged to take care of future growth. But when regional government was to come in, they waited for it to take over. Consequently, Jarvis has a real shortage of water at the present time. They had the money set aside to rebuild the line.

**Mr. Nixon:** Since regional government they can't flush the toilets.

**Mr. G. I. Miller:** I think this is an actual fact; but the intake is there. The line is being developed, and it's already to Texaco and it's already to Stelco—and there's no reason why it couldn't be extended to Jarvis and Hagersville. The whole area is badly in need of water.

Last year there were about 5,000 truckloads taken out of Lake Erie at Port Dover and trucked within a radius of 20 miles or 25 miles to service that area. Now, that has to be the most expensive way of getting water to any place that I know of. I think that when the water intake is developed that perhaps the line should be extended so it could be utilized in the whole area.

In this day and age I think there has to be a more efficient way of supplying water to an area than trucking it.

**Hon. W. Newman:** Mr. Chairman, my only comment on that is that as far as supplying services to Jarvis and that area, it would come under the Ministry of the Environment.

**Mr. G. I. Miller:** I'm aware of that.

**Hon. W. Newman:** I think you're just pointing out the situation as you see it. But that would come under the Ministry of the Environment. I don't know if those estimates have come up yet.

**Mr. Riddell:** You indicated in your opening statement that your staff complement has been reduced by 82 people. Are any of these staff under the extension branch?

**Hon. W. Newman:** Yes; we had 319 in 1975-1976; we are down about 15 to 304.

**Mr. Riddell:** I can well recall, and it wasn't too many years ago, where many of the extension offices across the province were manned by an ag rep, an assistant ag rep, and then a little later by an engineer. Now, it seems to me that there are crop specialists, there are beef cattle specialists, there are specialists—I don't know how many staff members—

**Mr. Nixon:** Home economists.

**Mr. Riddell:** —are located in these offices. In other words, many of these offices are mini-ministries in themselves. Do you have a feeling that maybe some of these offices are overstaffed? I'm just going by the comments of some of the farmers; and I'm not referring to my own area, because as far as I'm concerned we have one of the best agricultural representatives that you'll find any place.

As I travel across the province, farmers tell me that they very seldom see the ag rep out in the field. So what are the duties of the ag rep now? Is he simply a co-ordinating officer trying to co-ordinate the efforts of all the specialists in the office?

**Hon. W. Newman:** No, each county office varies; but in some areas we have specialists. For instance, in a certain area where there may be a lot of hogs or swine raised, we may have a swine specialist in that office; but we may not necessarily have one in another office. So we have different specialists in various offices.

I don't think we're overstaffed in our extension offices. I think that is evidenced by the kind of crops that we are producing today and the kind of work that the agricultural community is doing today. Unless I'm mistaken, our people are very busy people in the field at all times.

Ag reps do a lot of co-ordinating with the various staff members and specialists that they have, but they also do a fair amount of work themselves—because I get a bi-weekly report from every ag rep in the province. I have some idea of what kind of work they are doing. I think they do a good job serving the agricultural community of this province; I really do.

**Mr. Riddell:** I think they are doing a good job; I realize agriculture or farming has become that much more complex. But as I say, it wasn't too many years ago that the ag rep and the assistant ag rep did the bulk of the work.

**An hon. member:** I can remember before they had assistants:

**Mr. Riddell:** You walk into some of these offices now and the staff is something else again.

**Hon. W. Newman:** That's true, but let's look at what's happening and let's use corn, for example. I like to use corn because I think it's a good example. We have gone in the last number of years from about 70 million bushels to 140 million bushels of corn a year. Of course, we are shooting for a target of 200 million bushels of corn a year in the Province of Ontario, something which 20 years ago was unheard of. That in itself takes a fair amount of time.

For instance, when I used to grow a lot of corn, I used a lot of the ag rep's office time in coming out for soil surveys, the kind of fertilizer we should use, the kind of application and the various sprays we could use. It takes a great deal of their time to deal with individual farmers. They have to sit down with the man at the kitchen table—and I think this is a great idea—to discuss financial problems he may be having and how they can best be solved.

**Mr. Nixon:** You never had financial problems.

**Hon. W. Newman:** That's a matter of opinion. I used to work for a lot less a day than you did but anyway that's beside the point.

**Mr. Mancini:** Maybe you were worth less.

**Mr. Eaton:** Would the number of people using the services have gone up over the years? Are you saying the farmers using the services of the ag rep offices, since there were one or two servicing them, have gone up over the years?

**Hon. W. Newman:** All the research that's been done in the agricultural field, which I think in Ontario is something we can brag about—it has been great—to get all that knowledge down to the field or down to the farmer you need these people to work with the farmers.

**Mr. Riddell:** Yes, but the real truth of the matter is you are dealing directly with about—what?—10 per cent of the farmers—Now I say directly. Indirectly, I think the other farmers are benefiting because Farmer John may talk across the fence to Farmer Joe who uses the services of the office and he benefits from the information he receives from some of these specialists.

Not that I am being too critical—I think maybe there's a place for your specialists and what have you—but is there enough money being poured into research? The reason I bring this up—maybe this comes in a later vote—we have a college in Huron Park which could well be doing some research work as far as I am concerned. The land is there, yet I am not too sure that this ministry is moving too quickly to get them established in some research projects.

**Hon. W. Newman:** Research, of course, will be the last vote and Dr. Rennie who is in charge of research has had to go to Ridgeway.

**Mr. Riddell:** We will bring that up later. I was just—

**Hon. W. Newman:** That's the last vote.

**Mr. G. I. Miller:** How much land has been classified at this point in time?

**Hon. W. Newman:** How much land—

**Mr. G. I. Miller:** Has all that has been covered been classified, a new classification?

**Hon. W. Newman:** I don't know whether that's the case or not—are you saying pretty well?

**Mr. G. I. Miller:** Is that 100 per cent?

**Hon. W. Newman:** If you have to answer, you have to come to the mike so we can get it recorded.

**Mr. Spencer:** Basically, all of the agricultural land has been done. As I say, there will be pockets, particularly in the north, which haven't been done but these are still in forestry uses.

**Mr. G. I. Miller:** Except where?

**Mr. Spencer:** Basically in the north.

**Mr. G. I. Miller:** Except under trees, did you say?

**Mr. Spencer:** Yes, basically in forestry uses.

**Mr. Mancini:** I have one or two short questions for the minister. A short time ago the ag rep for the county of Essex created quite a controversy and upset quite a few farmers and I had my phone ringing off the hook for a couple of days. He stated that a lot of the figures the farmers were using for the costs of production were not accurate because they were using family labour. I would ask you to look into that because surely if a farmer is going to employ his family to try to make his business profitable, as the end product he is going to have to use his family labour as a cost of production, just the way it is done in all the other businesses. I don't know where this philosophy has come from, but I'd like some clarification from the minister on this.

[9:45]

**Hon. W. Newman:** The only thing I can comment on is that if an ag rep made some comment which created some problems for you, our ag reps are pretty good public relations men as far as I know across this province. If there is some specific problem from some specific thing that he said we'd be glad to look into it.

**Mr. Mancini:** Yes, it created quite a controversy. He stated in Barrie, plainly and clearly, from what I could understand through news reports and through area farmers who called me to tell me about this, that a lot of the costs of production were not true because the area farmers were using family labour as part of the cost. I just wanted to say I think you should use family labour as part of the cost because it's a fair and valid part of the cost production.

**Hon. W. Newman:** Are you talking about operating costs or management costs?

**Mr. Mancini:** For the end product. To create the end product it costs so much money.

**Hon. W. Newman:** The total cost, 100 per cent of investment depreciation. I don't know exactly. If you give me specifics of what you are talking about then—

**Mr. Mancini:** It costs so much money to produce cucumbers or corn or what have you, and if family labour is part of that cost to meet the end production then that should



be part of the cost of production, and it should not be stated that the figures of the farmers are false because the family of the farmer is assisting. The farmer's wife is going to work on the farm instead of taking a job outside the farm, where she could make \$3 or \$4 or what have you an hour. That part of the cost of production should be used to determine the end cost of that product.

**Hon. W. Newman:** In our calculations, we always include family labour that's used on the farm.

**Mr. Mancini:** Most of the farmers' wives were calling. They were very upset.

**Mr. McKessock:** That will be in the income stabilization plan?

**Hon. W. Newman:** As I said earlier, we can debate it more fully tomorrow, but if you want to discuss it tonight that's fine, though it doesn't come under this vote, I don't think.

**Mr. Chairman:** Any further discussion on item 2? Carried. Item 3, crop insurance. Any discussion on crop insurance?

**Mr. Spence:** Mr. Minister, it is a lot more money for crop insurance this year than last year; \$1.7 million this year, where last year you had \$1.5 million. In fact there are more farmers using this crop insurance than ever. Is that right?

**Hon. W. Newman:** Yes, we have more farmers on this. The total number under crop insurance has increased fantastically in the last few years. Somebody will have the exact figures there. We have 27 plans, 24,000 contracts, and probably 27,000 contracts next year. We took in some new commodities this year. Flax seed was one.

**Mr. Spence:** Flax seed? And what do you intend to pay for next year? What new crops are you anticipating for next year?

**Hon. W. Newman:** We've taken, by and large, most of the crops under crop insurance now. We've got quite a wide range—as I say, 27 commodities at this point in time—these have to be brought forward to the Crop Insurance Commission and they look at the programme and work out a formula of what the rates will be. As you know, there will be some probably very heavy payouts this year. In eastern Ontario the sour cherry crop was completely wiped out this year. They lost their total crop because of the spring weather. But we have raw flax in this year.

**Mr. G. I. Miller:** I had a complaint from one of my constituents that the insurance wasn't paid on the soya bean crop last year until the spring. They felt it was a long time to wait to get their insurance so that they could pay their bills. Is this a fact? Can this be speeded up? Is there any comment on that?

**Hon. W. Newman:** It all depends, I suppose, whether the crop was lost in seeding or whether it was in harvest. We have crop adjusters, as you know, who come up and look at the crops.

**Mr. G. I. Miller:** Yes, well this crop was written off before Christmas and he hadn't received his money until early in the spring, I assume.

**Hon. W. Newman:** Normally they try to pay it as quickly as they can. They happen to have had a very heavy year last year, I can tell you. Were all soya bean moneys paid in the spring? I'll find that out for you. Was the crop harvested at all?

**Mr. G. I. Miller:** No, it was written off.

**Hon. W. Newman:** It was a complete write-off? Why would it not be paid sooner? I'll ask Frank Barnes that for you. I can't tell you why there would be a delay.

**Mr. Barnes:** Yes, the crop has to either be harvested or destroyed. We had several cases in Lambton county three years ago where we settled the claim late in the fall and then the crop was harvested after that. It was harvested in January, and it resulted in an arbitration case and it was settled in the farmer's favour. We had released the crop and we do not want to release any more crops, because he got his payment and he also got the value of the crop that he harvested. Now the ruling is that the crop has to be either destroyed or harvested, and, once that is done, then any deficiency in the insurance guarantee will be paid by the commission.

**Mr. G. I. Miller:** And what is the period of time?

**Mr. Barnes:** I think there are still maybe five or six corn claims at the moment that are not settled from last year, because the farmer hasn't taken any action on the crop.

**Mr. G. I. Miller:** Is it up to the farmer to initiate it?

**Mr. Barnes:** That's right.

**Mr. Riddell:** Just on that point, he said the crop had to either be harvested or destroyed.

Let's say I grew a crop of corn and I wasn't able to harvest it in the fall. You're not going to make any payment until you see if I can get that off in the spring, so I endeavour to take that off in the spring and I take it in to the mill. The miller finds it's pretty black looking and says: "I won't have anything to do with it." You say: "Okay, fine, we'll make a payment on it." Then my neighbour comes across and says: "I wouldn't mind harvesting that. I think maybe I could market that through my hogs." Is there anything to prevent the neighbour from harvesting that corn and taking it home and feeding it to his hogs?

**Mr. Barnes:** No, you haven't destroyed the crop at that point. In other words, you'd have to put the disc through it or something to destroy the crop so that it couldn't be harvested and then we'd consider it destroyed.

**Mr. Riddell:** So if the mill doesn't accept it but the farmer or the neighbour is willing to harvest it to feed his pigs—

**Mr. Barnes:** We'd pay the difference.

**Mr. Riddell:** —I won't get the payment, then? Even if I'm giving it to him, if I say, "Fine, you come up and harvest it," will I still get paid?

**Mr. Barnes:** Yes.

**Mr. Riddell:** So really it doesn't have to be destroyed, then?

**Mr. Barnes:** Oh, yes, it has to be destroyed or harvested before you get paid.

**Mr. Riddell:** Or harvested.

**Mr. Barnes:** The harvest may be very small and you would then be paid the difference between your guarantee and what was harvested.

**Mr. Riddell:** The point I'm making is that as far as I'm concerned it's a total failure, but maybe my neighbour is willing to take a chance of getting some feed value out of it for his hogs, or for his beef cows, or what have you. All right, so I tell him to come in with his combine and harvest and he can take it if it's any good to him. Will I still get crop insurance for the full amount?

**Mr. Barnes:** Yes, you'll get the difference between what he harvested—you haven't released it in your sense. It's still your crop and you haven't released it until it has been either harvested or destroyed, and if he's doing the harvesting on it you'll get the dif-

ference between what he harvests and your insurance guarantee.

**Mr. MacDonald:** What if Jack gives it to him?

**Mr. Riddell:** Yes, I'm talking about giving it to him. I'm not selling it to him because—

**Mr. Barnes:** Probably it's going to cost him more money to harvest it than he gets out of it. That's the economic value you put on it. You've decided not to harvest it and it's probably to your advantage to destroy it at that point and put the land to better use.

**Mr. Spence:** Will there be any increase in rates?

**Hon. W. Newman:** Yes. There is an adjustment on many of the rates this year.

**Mr. Spence:** Up?

**Hon. W. Newman:** Up. Yes.

**Mr. Riddell:** Has crop insurance got so expensive that some farmers are starting to back away from it now?

**Hon. W. Newman:** I don't think so at this point in time. We're worried about what will happen down the road as far as the feds are concerned and how much money they're going to allow us for crop insurance. There are some discussions going on now at the federal level.

**Mr. G. I. Miller:** Mr. Chairman, No. 3 and the \$5,916,000—are they interrelated? Is that total estimates for crop insurance?

**Hon. W. Newman:** I'm sorry? The total?

**Mr. G. I. Miller:** Yes, the total. No. 3 is \$1,735,000 in 1976.

**Hon. W. Newman:** That's just the crop insurance. The subsidy payment to the Ontario farm crop insurance fund under the Crop Insurance Act was \$6,444,600.

**Mr. G. I. Miller:** That is included in the overall expenditures?

**Hon. W. Newman:** No. If you turn to R-19, that will give you a breakdown on crop insurance expenses. It tells you the employee benefits; transportation and communications; services; supplies and equipment—\$1,735,000. Subsidy payments to the crop insurance fund are not shown in the estimates because those are actually paid for by what we get from Ottawa and what the farmer pays.

**Mr. MacDonald:** Do you cover administration?

**Hon. W. Newman:** Yes.

**Mr. MacDonald:** That's included in the \$1,735,000?

**Hon. W. Newman:** We cover administration costs; that's right.

**Mr. MacDonald:** That's included in the \$1,735,000?

**Mr. G. I. Miller:** What is the \$1 million for services? What does that cover?

**Mr. Sewell:** Mainly agents' and adjustors' fees and expenses.

**Mr. G. I. Miller:** You paid out \$27,000 this year for being insured compared to \$18,000 last year?

**Mr. R. G. Bennett:** It was \$24,000 last year and we anticipate \$27,000 this year.

**Mr. G. I. Miller:** In this report for 1975 it is \$18,000.

**Mr. R. G. Bennett:** That would be the fiscal year previous to that.

**Mr. Chairman:** Any further discussion? Shall item 3 carry? On item 4, assistance for primary food production.

**Mr. McKessock:** I have a few questions on this item. Agricultural development in northern Ontario—what is that \$455,000 spent on mainly?

**Hon. W. Newman:** This is a fund set up for northern Ontario. The northern districts have their own committees in each region, I guess it is, isn't it? They've all allocated a portion of that money and they decide how that money should be spent—whether they want to use it for artificial insemination work or buying hay or building elevators or for fertilizer assistance or buying lime or whatever. They decide how that money is going to be spent.

**Mr. McKessock:** Under the Protection of Cattle Act, do you pay any compensation for damage done by wolves?

**Hon. W. Newman:** Yes.

**Mr. McKessock:** The Ontario cattlemen who were in today were very concerned about the wolf problem.

**Hon. W. Newman:** Right. I met with them only last week to discuss it.

**Mr. Nixon:** They didn't get much encouragement.

**Hon. W. Newman:** Pardon?

**Mr. Mancini:** They were very disappointed.

**Hon. W. Newman:** Were they disappointed? I had a very good meeting with the Ontario Cattlemen's Association. I don't know what they had to say to you but certainly they are concerned in some areas where they have serious wolf problems. I have asked them to follow through by getting in touch with me and pointing out their problem areas. Then I will talk to the Minister of Natural Resources (Mr. Bernier) whose ministry has a team of experts who go around to particular areas to deal with the wolf problems. They know it's a serious problem.

[10:00]

**Mr. McKessock:** They're quite convinced that the only way they're going to protect their stock is to have the bounty put back on the wolf.

**Hon. W. Newman:** Are you all for it?

**Mr. McKessock:** Yes, I'm for it.

**An hon. member:** Are you?

**Hon. W. Newman:** The government policy at this point in time is that the wolf bounty has been taken off and a bill was brought in to pay compensation for wolf damage.

**Mr. McKessock:** Their problem is that they may lose four or five calves and they can't get compensation for them because they've disappeared. A wolf bounty would get rid of the wolves and they wouldn't have this problem.

**Hon. W. Newman:** This controversy has raged on, I think, for many years.

**Mr. Nixon:** We've heard about it.

**Hon. W. Newman:** Long before I was in the Legislature, I used to be on a special game committee; we used to come in every year and make a presentation to the Ministry of Natural Resources about wolves. It's raged on for many years, and the decision was made about two years ago, I think, that the wolf bounty would be cut out and that compensation would be paid for wolf damage.

**Mr. McKessock:** Now that you're Minister of Agriculture and Food, do you have any thoughts of changing that legislation?

**Hon. W. Newman:** If you ask me my personal opinion, I will tell you one thing;



if you ask me as Minister of Agriculture and Food, I will tell you something else. I'm not going to tell you anything except the policy of the government.

**Mr. Gaunt:** Fancy footwork.

**Mr. Rustton:** That's stick-handling.

**Mr. Riddell:** Since wolves are becoming overpopulated, why would the ministry not permit municipalities to pay a bounty in order to control these wolves? It's not only live-stock damage; as Bob intimated, there may be four calves that they don't know are missing, but also some of these might develop into fairly expensive animals. Some Simmentals and Charolais might bring \$2,000 or \$3,000 a piece; they're certainly not being compensated to that extent.

I was on a tour across eastern Ontario about a week ago, and the people adjacent to the Algonquin area told me that the deer population of the park is down to 475, and yet they're still not doing a thing about controlling wolves. What the hell, do we want wolves in this country rather than deer, cattle and sheep? They've driven the sheep flocks out of northern Ontario. A chap was telling us that there are three flocks in northern Ontario now.

**Hon. W. Newman:** We own one of them. I can't tell you offhand how many flocks of sheep there are in northern Ontario, but if there is a problem with wolves in a particular area, the Ministry of Natural Resources have—what do they call that team they send out?

**An hon. member:** Predator control.

**Hon. W. Newman:** Predator control. They will go out to an area and trap or snare the wolves to try to reduce their numbers, particularly where there's a problem.

**Mr. Mancini:** Why won't you let the farmers do it?

**Hon. W. Newman:** The farmer is quite entitled to shoot the wolf if he wants to. He can trap it or do what he likes with it.

**Mr. McKessock:** Except that the farmer pointed out that he would lose three to four hours a day, or maybe he and his son both would lose a total of eight hours a day, going out and shooting these wolves, whereas if somebody was paid to do it, other people would come in and do it for them.

**Mr. G. I. Miller:** A real hunter.

**Mr. MacDonald:** Some of us innocent bystanders are getting puzzled, because the Friends of the Wolves—I just happened to see an item on the television news last night—held their annual conference just north of here, and they claim they're going to be making application for the protection of the wolf as an endangered species.

**Mr. McKessock:** According to the farmers today, they are a long way from being extinct and they're increasing every year at quite a rapid rate.

**Hon. W. Newman:** I think one of the things we forget is that we're talking about the timber wolf as opposed to the coyote or brush wolf or the crossbred wolf. Maybe the timber wolves are getting a little scarce, but certainly the coyote or crossbred wolves are not getting that scarce.

**Mr. Gaunt:** They may be becoming extinct on Yonge St. in Toronto, but anywhere else, even in Huron county—

**Mr. MacDonald:** Wolves are extinct on Yonge St.?

Interjections.

**Mr. MacDonald:** You're a farm boy all right, Murray.

**Mr. Chairman:** Order, please.

**An hon. member:** Bay St. is where the wolves are.

**Mr. MacDonald:** You picked the wrong street.

**Mr. Gaunt:** In any event, I think it is becoming a very serious problem in many parts of this province. Even in Huron county, a lot of wolves have moved into the county; it's becoming a problem in isolated sections in that county, and that was just unheard of two or three years ago. It just wasn't the case. Even in Bruce county they had a few but it certainly wasn't a problem, and it is a problem now.

**Hon. W. Newman:** I can tell you it is quite a problem within two miles of where I live too. There are quite a number of wolves down there. We talk about the four-legged kind of course, but certainly the predator control people in Natural Resources have been working on this problem. I asked the particular chap who was in the other day with the Ontario Cattlemen's Association; I believe it was Temagami, was it not, that he was talking about?

**Mr. McKessock:** New Liskeard.

**Hon. W. Newman:** So he is going to send me more details which I will take up with the Minister of Natural Resources.

**Mr. McKessock:** On the farm income stabilization plan, are we just debating the bill itself tomorrow or can we talk on the stabilization programme under these estimates?

**Hon. W. Newman:** Oh, no, it's here. You are quite welcome to talk about it.

**Mr. McKessock:** I was wondering, seeing as we expected to have a bill come in similar to what the Federation of Agriculture had suggested, with some limits on the amount of production and paid at a cost of production basis plus some interest on investment and a labour wage, if this bill is defeated are you considering coming in with a bill similar to what we really wanted in the first place?

**Mr. MacDonald:** Will you give us your answer and the government policy answer on this one?

**Hon. W. Newman:** No, government policy is \$25,650,000 for stabilization this year. I said in my opening statement when I introduced the bill that any additional funds will be paid out of the consolidated revenue fund for the year 1976-1977. We are very optimistic about the calf crop this fall; that the price will be better than last year. We don't know how many farmers will be enrolled. We will be announcing, hopefully, the cow-calf programme later this week but the stabilization figure is \$25,650,000. As I announced in my statement, there would be a stabilization fund set up and \$25,650,000 would be involved, plus any additional funds if necessary out of the consolidated revenue fund.

**Mr. McKessock:** Would you not be agreeable to set up a stabilization plan for Ontario that would protect the Ontario farmers even if, as you have criticized yourself, the federal plan won't necessarily do this? When other provinces like Quebec and British Columbia and Manitoba are bringing in their own plans to protect their own farmers, don't you feel it is Ontario's responsibility to protect Ontario farmers by, if you want to call it top loading or what ever to the federal plan, to see that Ontario farming doesn't deteriorate like it has in the past years?

**Hon. W. Newman:** In my opening statement I also said I believe stabilization should

be national in scope. I still think it should be national in scope. I said that those items that came under Bill C-50 would be excluded from the bill. I also said that those that were under supply management and quota and price setting would not be included in the bill. The purpose of the bill that I have introduced now is to help out in difficult times based on the commodities in the Province of Ontario which are not covered by some programme at this point in time.

We got into this in the opening discussion there for a while, and as I think I also said in my opening statement—if I didn't I will say it now—we have gone along for some time now trying to work on a programme of a one-third, one-third, one-third deal and that has been going on for a long time. It has not come to be, so we are planning to move into a stabilization plan in the Province of Ontario to cover those commodities which are 27.2 per cent of the commodities of the Province of Ontario that are not covered by either the federal Agricultural Stabilization Act or supply management or both price and quota allocation.

**Mr. McKessock:** For example, in the milk business, if we had a provincial stabilization plan in force now, would it not make the dairy farmers feel much better, that they had something protect them when, in fact, they have been let down by the federal people?

**Hon. W. Newman:** The formula pricing system for milk shippers would put prices even higher than the existing programmes, so that really doesn't solve the problem. The problem here is supposedly over-supply.

As I said earlier this evening, I am very much concerned about possible overreaction. Last year was an ideal year for crops, and I'm worried about what could happen if there is overreaction to the cutbacks this year. We went into that earlier this evening, too.

**Mr. McKessock:** I have suggested to you before a guarantee for dairy farmers who were encouraged to go into production and who expanded. Could you guarantee them a yearly quota, based on their last three months' production?

**Hon. W. Newman:** We don't have the right to do that, because we're given a global allocation by the government of Canada. There was a news release on Friday which said they were going to reconsider the quota allocation for Canada, and also maybe extend Farm Credit Corp. loans on a blanket

basis over a couple more years. I can't remember the third item in the release.

What we're saying is they're only paying them the 95 million cwt. now, and they may adjust a levy change of \$1.34.

**Mr. McKessock:** Except that Whelan has said if the provinces wanted to buy some of the milk, they could expand their quotas. The way I feel, if people were guaranteed a viable quota based on the last three months' production, they would know where they stand. Right now, they don't know whether to go broke today or wait for three months and see if they get a quota.

I believe everybody thinks this is only a short-term thing, with the can shippers having to go out of production a year from this fall. There are always farmers quitting. When this real quota comes back, it would cover this extra quota that you gave them. If it came in fast enough, you might not have to buy any milk. It would only be a temporary thing for a year or two if you did have to buy any. But it would provide a guarantee for farmers who were encouraged to go into production. It wouldn't necessarily mean that they would survive, but it would mean that if they were efficient they would survive, because they would have a quota.

**Hon. W. Newman:** The Ontario Milk Marketing Board handles quotas. As you know, it is a producer-operated board; and you have committee men on your board. It deals with this matter. They have studied the price of three cents a pound, as you know, for the month of June to buy MSQ. They have many appeals that they are dealing with; and the Ontario Milk Commission is dealing with many appeals.

We have suggested to Ottawa that instead of an 18 per cent cutback, we take a six per cent cutback—even until October—until we get some handle on exactly what is happening with dairy production in the Province of Ontario. I suggested this some two months ago by Telex to the federal minister.

I have also suggested that some of the powdered milk should be sent back to the dairy farmers on a pro rata basis for livestock feed, after it was treated so it would not get into the commercial market.

I also implored him before he announced his policy to be careful about raising the price of butter and powdered milk because automatically it does cutback the amount of butter consumers use. I cautioned him about that before the announcement was ever made.

We have had many discussions in Ottawa at federal-provincial conferences. I realize the

problem. You know what I have done about IMPIP and the forgivable portion, and so on. As I said earlier, I am going to be meeting with the board and the commission this Friday.

**Mr. McKessock:** You wouldn't consider buying any surplus milk?

**Hon. W. Newman:** You are saying we should add a cent or two cents a pound to the market?

**Mr. McKessock:** No, I suggested that to you before. But what I was wondering was if you would consider buying some surplus milk to allow a larger quota in Ontario.

**Mr. MacDonald:** What does that add up to? I am interested to know.

**Mr. McKessock:** I am not sure, but it would be quite easy to figure out.

**Mr. MacDonald:** No, but what does that mean—that the province would buy the surplus milk and get it processed, and in effect you would have your problem of disposal of that?

[10:15]

**Hon. W. Newman:** I don't think under the federal dairy policy we'd be allowed to buy it, because all milk in the Province of Ontario has to go through the Milk Marketing Board.

**Mr. McKessock:** That's right, but I understand Mr. Whelan said the province could do this.

**Hon. W. Newman:** Mr. Whelan said time and time again that on the whole federal programme—even on stabilization he has indicated in his past speeches—if the provinces ever did go over what they're doing, they may cut back. What I'm concerned about in the milk industry is the immediate problem, but I'm also looking down the road to look at the problem where the Province of Quebec has given notice to the Province of Manitoba, if I'm not badly mistaken, that it is going to pull out of the industrial milk field. They have to give one year's notice.

I just hope they will reconsider this whole matter, because sure it's out of whack right now and sure there is some assistance needed and it is needed at the federal level. We have done something provincially and we are looking at other possibilities as far as the milk industry is concerned.

The Milk Marketing Board is, first, looking at new producers, and secondly, at those who



have bought a lot of heifers and are just beginning to get into their full flow of milk and have a lot of heifers coming on stream this spring. There's concern for those people also. There's also a concern for the others—the fluid shippers are not so badly off, those who have a fair-sized fluid quota—the new shippers who got into the province the last year and those who got in some two years ago.

**Mr. McKessock:** This is why I'm concerned about a stabilization plan or an income protection plan—or a price protection plan I'd prefer to call it. It's not only the ones who started last year and the ones who expanded but also the ones who have lost their 15 per cent. They tell me they're in trouble too, and with a price protection plan I think they could be helped over the next couple of years if that was in force.

Also, there's another problem for a farmer's son right now. How can he start up in the dairy business? I called in at one the other day who is building a milk house and he's a farmer's son, he was married last fall and he wants to farm. He's got part of his father's quota right now, but he hasn't got a viable quota. What's he going to do? He's not even on the list of those who need help, because the quota is all in his father's name. I think for a farmer's son this is a disaster situation.

**Hon. W. Newman:** It's not the price of the milk that's creating the problem. It's the surplus that's creating the problem at this point in time. It's not the price. I think the price is \$11.42 or \$11.45 a hundredweight. It's the surplus that they said they must cut back to.

**Mr. McKessock:** Some are going as far to say that this surplus may be short-lived.

**Hon. W. Newman:** I agree, that's why we should not overreact. That's why if we could cut back to six per cent instead of the 18 per cent—which, in effect, in the Province of Ontario is only 15 per cent—if this cutback could be a lot less I think people could live with it more until we see what is going to happen. As I said before, we've got dry conditions in northwestern Ontario, we have some dry conditions I guess over in your area. Unless you got that rain yesterday. I don't know whether you did or not.

**Mr. McKessock:** I'm afraid if we don't protect these farmers' sons and those who went into it last year, if they go out you'll not get them back and eventually we'll be getting more and more imports. Eventually we may be buying milk from Quebec. I would like to see that we hold our own producers now.

**Hon. W. Newman:** I agree that without our IMPIP programme we would be buying milk from Quebec now, but what I'm saying is that I'm also saying let's not overreact to the dairy situation because this whole thing could turn around, very easily turn around.

**Mr. McKessock:** That's exactly what I'm saying; that's why we should hold those who are in it now.

**Hon. W. Newman:** I agree, and the priority of the Milk Marketing Board is the new producers and those who have been in for a couple of years, who have just as much of a problem financially as a new producer, because they have planned their budget down the road on the assumption of producing so much milk.

**Mr. MacDonald:** Could I have one point clarified on this? The original position of Whelan was that if a province moved in and added to what they were doing in Ottawa they would in effect penalize them, they would withdraw—What do they call that, front-end loading?

**Mr. R. G. Bennett:** Top loading.

**Mr. MacDonald:** I understand that the BC plan is now operating on the basis—it covers all commodities—that what is paid in Ottawa is deemed to be the market price and then they top load beyond that to whatever they have negotiated as the appropriate price for the year. I think you've passed the stage where you need to be bluffed by Mr. Whelan any longer.

**Hon. W. Newman:** A good example was at the agricultural estimates this year in Ottawa. The Minister of Agriculture said—I don't have the notes here with me but maybe some of you had a copy—in essence what was said was that if the province hadn't gone into a cow-calf programme—this isn't verbatim—had not brought in the cow-calf programme, Ottawa would have brought forward a cow-calf programme. I don't particularly believe that because with the BC programme, the Manitoba programme, our own programme and the Quebec programme there was not that much differential in the various—

**Mr. MacDonald:** No, that is not the point I am raising. The point I am raising is that if the Ontario government deemed the federal plan to be inadequate—90 per cent of the last five years and you say it should be three years and then you make some adjustment to take into account the cost of production for this year. What they are doing

in BC is they deem the price of any commodity designated in the federal stabilization plan to be the market price but if their negotiated price for that product is beyond that, the payments in BC are top-loaded.

**Hon. W. Newman:** Not exactly. I will ask Earl Haslett to answer that because that isn't quite right.

**Mr. Haslett:** It seems to me that in effect British Columbia is top loading but the way I would have looked at it is you do have a market price in BC and the BC government may be guaranteeing the producers a higher price than that. I don't see how you could simply regard the federal support price as being market price. It seems to me a market price does exist and if the BC support level is higher than that, in effect, the BC government is simply top loading. I think that part of what he is talking about is clear.

**Mr. MacDonald:** I will get clarification on that between now and tomorrow.

**Mr. McKessock:** I notice in the capital grants for farm development there is only \$7 million left in this 12-year programme which runs out in 1979 so it will be all used up this year, three years ahead of time. This programme has allowed the farmers 40 per cent of their capital costs up to a \$3,000 maximum.

Prince Edward Island has just come out with a new capital grants programme allowing farmers up to \$25,000. Seeing that this programme will be finished this year would you consider coming out with an updated programme for Ontario to suit the modern times with more money than the last one had and to kind of go along with what Prince Edward Island has done?

**Hon. W. Newman:** I don't know how PEI has done it or how they can afford to do it but I will tell you that our total budget for assistance to primary food production runs to about \$101 million.

As for the programme we have in place now, the reason it is at \$7 million this year is there was an additional amount last year, over and above the \$10 million allocation for 1975-1976, which was put through to pick up the backlog which had built up over the previous two years, I guess. We paid an additional \$5 million last year so there is \$7 million in it this year. That is not the total figure. I don't think the total—

**Mr. R. G. Bennett:** There is what we paid out last year.

**Hon. W. Newman:** It was \$14,999,354 last year. There was \$10 million in the budget, I believe, last year and there was some additional funding we got to bring it up to date to the end of the fiscal year. Thus, there is only \$7 million in it for this year because we were able to get the additional almost \$5 million last year.

**Mr. McKessock:** Does that \$7 million not complete the fund?

**Hon. W. Newman:** I don't think so.

**Mr. McKessock:** Up to the \$129 million put into it.

**Hon. W. Newman:** It's around \$125 million, \$126 million.

**Mr. McKessock:** After you take this \$7 million out?

**Hon. W. Newman:** No, with this in.

**Mr. McKessock:** The next item, grants and subsidies re livestock, \$130,000—what are those grants paid for?

**Hon. W. Newman:** These are primarily for the bull programme, the heifer programme, the northern Ontario programme and the sheep programme. If they are buying bulls or purebred animals—for northern Ontario—these are programmes to assist them in upgrading their herds—grants and subsidies for the purchase of purebred livestock

**Mr. McKessock:** Mainly northern Ontario?

**Hon. W. Newman:** I don't think it's all northern Ontario. Maybe Mr. McGill could explain.

**Mr. McGill:** No, it's certainly not all northern Ontario, but the greater part of it is in northern Ontario. For example, the AI grant of \$2 for every cow bred has amounted to more than \$40,000. There are also grants for the transportation of livestock in northern Ontario and grants for the purchase of livestock in northern Ontario. So there's more in the north, but there are also grants in there for fairs, which get a grant on a percentage of the prize money they pay, and grants to breed associations that hold sales in southern Ontario and this sort of thing.

**Mr. Riddell:** Are there no grants for purebred bulls purchased in southern Ontario, say?

**Mr. McGill:** No.

**Mr. Riddell:** When did that stop?

**Mr. McGill:** I think that was terminated two years ago. The money that had been spent on that is now being spent directly in the performance programme to directly assist beef producers in performance-testing their bulls, by providing facilities and assistance in respect to that programme.

**Mr. McKessock:** The next item is called "Grants re guaranteed bank loans to farmers," and it's listed as \$1.5 million.

**Hon. W. Newman:** That's the IMPIP loans and the grape conversion loans.

**Mr. McKessock:** The forgivable part?

**Hon. W. Newman:** Yes.

**Mr. MacDonald:** Last year it was only \$500,000; this year it's \$1.5 million.

**Mr. Sewell:** We were just getting into the first full year of IMPIP.

**Mr. MacDonald:** I see.

**Mr. Spence:** Do many farmers across the province make great use of these loans?

**Hon. W. Newman:** Yes, there have been IMPIP loans all over the province.

**Mr. Spence:** How many millions of dollars did you lend?

**Hon. W. Newman:** I believe the IMPIP loans totalled about \$32 million.

**Mr. Riddell:** That's what got our farmers into trouble.

**Hon. W. Newman:** On the contrary.

**Mr. G. I. Miller:** How many applications were there for IMPIP loans?

**Hon. W. Newman:** There have been about 3,000 since the programme started in 1973. A lot of them were for expenses and for putting in bulk coolers.

**Mr. McKessock:** Does the Ontario government have anything to do with farm improvement loans?

**Hon. W. Newman:** That's a federal programme.

**Mr. McKessock:** It is a good loan that you can't get very readily. Would the Ontario government have any thoughts of offering farmers a loan like that, which would give them a low interest rate? I think the best form of incentive or subsidy or help you can give any business is a low-interest rate loan.

**Hon. W. Newman:** The only programme we have in place at this point in time is the young farmer loan programme. I think more than \$5 million in loans was approved in the last year.

**Mr. McKessock:** What is the interest rate on that?

**Hon. W. Newman:** Prime plus one.

**Mr. McKessock:** That's not too good a rate.

**Mr. G. I. Miller:** Would that be about 10 per cent?

**Hon. W. Newman:** I don't know what the prime rate was.

**Mr. R. G. Bennett:** It was 10% per cent.

**Mr. Riddell:** Have you ever thought of re-instating the warble fly control programme?

**Hon. W. Newman:** As you know, the warble fly control programme now is initiated at the municipal level, and while I stand to be corrected on this, I believe it can be made mandatory at the municipal level if the municipal council wants to get into it, and many municipalities do.

**Mr. Riddell:** That was an excellent programme, and I think it was a crime that it was ever stopped. You may have observed over the last two or three years that the cattle definitely are being bothered by the heel fly now. Very seldom will you have cattle come through the winter without detecting signs of warbles on their backs. For all that programme cost the government or the municipalities, I see no reason in the world why it shouldn't be reintroduced.

[10:30]

There is no question that the warbles are becoming a problem again. You talk to the farmers, or you go out and have a look at their livestock, and there is quite a number of warbles on their backs and, of course, it destroys the hide in many cases and it definitely has to cut down on efficiency.

**Hon. W. Newman:** With the new systemics we have now that you can put on almost with a watering can, it's not that difficult to control the warbles.

**Mr. Riddell:** Yes, but farmers won't do it on their own volition, but if it is mandatory—

**Mr. R. G. Bennett:** It can be made mandatory by the municipality.

**Hon. W. Newman:** Some municipalities do and some don't.



**Mr. MacDonald:** In your 900 research projects, have you ever thought of trying to develop a temperate version of one of these tropical birds that rides around on the cow's back and takes out the warble flies?

**Hon. W. Newman:** I don't know what kind of bird it is, but my parliamentary assistant's secretary said a couple of them have moved up to Ontario, so maybe more will move up.

**Mr. MacDonald:** You've got 900 research projects now, and if you could get them acclimatized up here you would solve your problem. They just ride around on the cow's back and dig them out.

**Hon. W. Newman:** It certainly would be well worth looking at that. I'm not too sure how well the birds would survive up here. I might turn that over to the Ministry of the Environment.

**Mr. MacDonald:** You can see them in Africa, down in the Caribbean and in New Mexico.

**Mr. Chairman:** Is there any further discussion on item 4?

**Mr. McKessock:** Yes, I'll speak to item 4.

**Mr. Chairman:** Okay. I understand there is a possibility of us sitting Wednesday afternoon.

The committee adjourned at 10:32 p.m.

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Evans, D. A. (Simcoe Centre PC)  
Gaunt, M. (Huron-Bruce L)  
Godfrey, C. (Durham West NDP)  
Hodgson, W. (York North PC)  
Johnston, R. M. (St. Catharines PC)  
MacDonald, D. C. (York South NDP)  
Mancini, R. (Essex South L)  
McKessock, R. (Grey L)  
McNeil, R. K.; Chairman (Elgin PC)  
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Newman, Hon. W.; Minister of Agriculture and Food (Durham-York PC)  
Nixon, R. F. (Brant-Oxford-Norfolk L)  
Riddell, J. (Huron-Middlesex L)  
Ruston, R. F. (Essex North L)  
Spence, J. P. (Kent-Elgin L)

### **Ministry of Agriculture and Food officials taking part:**

Barnes, F., Assistant General Manager, Crop Insurance Commission of Ontario  
Bennett, R. G., Deputy Minister  
Haslett, Dr. E. A., Director, Economics Branch  
Lantz, K. E., Assistant Deputy Minister, Production and Rural Development  
McGill, H. E., Live Stock Commissioner, Live Stock Branch  
Sewell, R., Executive Director, Finance and Administration Division  
Spencer, V. I. D., Director, Food Land Development Branch







Government  
Publications

# Legislature of Ontario Debates

SUPPLY COMMITTEE—2

ESTIMATES, MINISTRY OF  
THE SOLICITOR GENERAL

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

Monday, June 14, 1976

Evening Session

Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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A list of the speakers taking part in the debates in this issue of Hansard appears, in alphabetical order, at the back of this issue.

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## LEGISLATURE OF ONTARIO

### SUPPLY COMMITTEE

MONDAY, JUNE 14, 1976

The committee met at 8 p.m. in committee room No. 2.

#### ESTIMATES, MINISTRY OF THE SOLICITOR GENERAL (continued)

On vote 1502:

**Mr. Chairman:** We will proceed on item 4, coroners.

**Ms. Sandeman:** I'd like to ask the Chief Coroner to give us some more details on the mercury analysis programme. We mentioned it to the minister at question period, and he promised us some more details during the estimates.

The things I'd like to know are: How long ago you decided to undertake these post-mortem examinations in the death of residents of the Wabigoon-English River system; how many cases were there in which people considered that mercury might be considered a contributing factor; and whether or not it was discovered to be a contributing factor to deaths. Are you continuing with the survey and the autopsies? How does this fit into the overall Ministry of Health picture in northwestern Ontario?

**Dr. Cotnam:** I can tell you what we've done in the coroner's office. We've been interested in this problem since 1972. We held an inquest at that time into one named Thomas Strong—actually it was an accidental drowning in the end, but we did find high levels of mercury in his blood. I can't say whether it was a contributing factor to his death; I really think it was an accidental drowning and these findings were incidental. But nevertheless, he had come from the general area of those two Indian reserves of Grassy Narrows and White Dog. I think our interest was stimulated at that time and we've followed it very closely since that time in the coroner's office.

**Ms. Sandeman:** Was that the first hint you had that there might be—

**Dr. Cotnam:** That's the first hint we had of an actual case, yes. Perhaps we'd heard about it before, but that was the first case that I am aware of through the coroner's office where we found these levels of mercury. As I say, even with him we could not say it was a contributing factor to his death. He fell out of a canoe, I think, and drowned. But it did alert us to the problem, and since that time we've done our best to co-operate with the Ministry of Health in providing material. Really, all the coroner's office can do is provide material after death of the cases which we investigate. The number of cases that coroners have done so far is 30.

**Ms. Sandeman:** What percentage of the deaths on the reserve would that be? Are you doing an automatic post mortem?

**Dr. Cotnam:** No, there's not an automatic autopsy on every one. It would only be those reportable to a coroner. That's all I have jurisdiction over. Perhaps they have done autopsies on other cases in Lake of the Woods District Hospital in Kenora that were what we call next-of-kin autopsies or hospital autopsies. I don't become involved in those at all.

**Ms. Sandeman:** Would someone have access to the results of those so that you could get a broader picture of the—

**Dr. Cotnam:** I think that with any autopsy that is done, in the end the information is being fed into the Ministry of Health.

**Ms. Sandeman:** They get it anyway.

**Dr. Cotnam:** They get it anyway. But I can only speak for the 30 cases that came through the coroner's office.

**Ms. Sandeman:** And of the 30 you did, did they all show abnormally high levels of mercury?

**Dr. Cotnam:** I don't really know what is a high level of mercury. To me, that has not been determined and that really isn't within my jurisdiction. It's within the Minis-



try of Health to determine what is a high level of mercury and whether the cause of death was related to whatever level they found. All I have is a record of the levels that they found.

**Ms. Sandeman:** Was there a recordable level in each case?

**Dr. Cotnam:** Yes, they have recordable levels here. I've only got them on 15 cases here. I was talking to a Dr. L. F. Smith, who's a medical consultant in the community health division in the Ministry of Health, and she promised me the results on the other 15 cases this week. But she said they were very similar to what they'd forwarded already. These are analyses done on blood and on hair and on liver and on kidney and brain tissue—a mixture of these—

**Ms. Sandeman:** Is this material that could be tabled for the committee?

**Dr. Cotnam:** Yes, except there's no interpretation on it. You can have the levels, the names of the deceased and, of course, I have the causes of death of the deceased. But I can't really relate that level of mercury. Some of these are homicides and so on, but nevertheless we did mercury levels on them and on suicides. There's no reason why you can't have it but, as I say, I can't relate one to the other. That interpretation would have to come from the Ministry of Health.

**Ms. Sandeman:** Perhaps we could have it anyway, if it's available.

**Hon. Mr. MacBeth:** Is there anything of a confidential nature there or any reason why we can't release it?

**Dr. Cotnam:** I guess the names of the deceased.

**Ms. Sandeman:** You might want to take the names out perhaps.

**Hon. Mr. MacBeth:** You could take the names out and just refer to A, B, C, D, etc.

**Dr. Cotnam:** I can do that.

**Hon. Mr. MacBeth:** I don't know whether there's any reason why the whole works shouldn't be shown.

**Dr. Cotnam:** Even the names, as far as I'm concerned, are common knowledge. A lot of these came to inquests but some didn't. Some are criminal cases.

**Ms. Sandeman:** Yes. An inquest is a public event.

**Dr. Cotnam:** But they didn't all come to inquests. A lot of these died of natural causes. In addition to this study, the federal Department of Health is carrying on its own study on cord bloods of newborns and on pregnant women. This is being done through the Lake of the Woods hospital at Kenora and on the living.

**Ms. Sandeman:** Yes.

**Dr. Cotnam:** Living mothers and newborn babies.

**Ms. Sandeman:** You anticipated my question. I was going to ask if anyone was doing cord blood.

You mention here that the data obtained is being compared with clinical and histological findings to determine the pathological significance of the mercury levels and so on. Is that study being done by your department or by the Ministry of Health?

**Dr. Cotnam:** No, that's by the Ministry of Health—any interpretation. We're merely a vehicle in supplying the materials. I have a written communication from Dr. Smith, whom I mentioned, in the Ministry of Health. They don't feel that mercury has been a factor in any of these deaths that they've investigated to date—that is in the 30 cases they've done so far for my office.

**Ms. Sandeman:** When you give us the 15 you've got, perhaps you could follow it up with the other 15 that you've nearly got, if you know what I mean.

**Dr. Cotnam:** Do I give this to you, Mr. Chairman? I have a total of 30 cases but I've only 15 results here now.

**Hon. Mr. MacBeth:** You're planning to give it to us now, are you?

**Dr. Cotnam:** No, a copy should be made of this.

**Mr. Chairman:** We'll make a copy then.

**Ms. Sandeman:** If you would make a copy and when you have the total, the 30, that would be very useful.

There were a couple of other things I wanted to mention, if I may. They are just some rather scattered questions from the statistical parts of your report. In your first table of number of mentions per involvement, you've got them broken down into 11 classes. I find it rather strange that—

**Dr. Cotnam:** I don't think I know which table you mean.

**Ms. Sandeman:** I'm sorry, it doesn't have a page number. It is "Chief Coroner's Office, Statistical Report, 1975, Number of Investigations"—your first table.

**Dr. Cotnam:** Number of investigations, 1975.

**Ms. Sandeman:** Yes, and it has a number of mentions per involvement and you've got classes 01 to 11. It's the first page of tables, at least in my set.

**Dr. Cotnam:** All right.

**Ms. Sandeman:** I just wondered what's the rationale for separating out native Indians. You haven't separated out any other ethnic group.

**Dr. Cotnam:** I believe there have been several studies done in the Kenora area on various things involving the native population. I believe that's the only reason that we separated this out. We've been asked for specific information on the native population in those areas, not just on mercury, but homicides, suicides, and so on.

**Ms. Sandeman:** Yes, I understand that. So that's a retrieval mechanism rather than some kind of strange racial discrimination that creeps in after death.

**Dr. Cotnam:** No, it has nothing to do with racial discrimination; it's just for retrieval of information.

**Ms. Sandeman:** It suggests that a lot of people are doing a lot of studies just as they might be doing studies on deaths related to pregnancies.

[8:15]

**Dr. Cotnam:** That's correct.

**Ms. Sandeman:** I see; okay. The third page I have here is the one headed "Drugs, secondary cause," a number of cases of which indicated drugs or poisons were present. It would be useful, I think, if you could indicate whether the totals are more or less than in previous years. If they are more, is there any particular area in which you are getting more deaths, for instance, in narcotics or in solvents or whatever? Do you have a comparative table?

**Dr. Cotnam:** I haven't got it here but I can tell you from memory that if anything, it may be a decrease; it isn't an increase related

to population in the last two or three years. This has remained relatively static but you may get variables from one drug to another each year.

**Ms. Sandeman:** Yes, depending on what's—

**Dr. Cotnam:** They seem to go for one thing more than another.

**Ms. Sandeman:** It had been my impression that drug-related deaths were probably dropping. This is drugs, secondary cause; is there a similar table for drugs as the actual cause of death? Yes; they show up under suicides and so on, don't they?

**Dr. Cotnam:** That's in this table here. Drugs, secondary cause, as you can see, maybe with—

**Ms. Sandeman:** That doesn't really tell you very much.

**Dr. Cotnam:** —accidents, suicides, homicides and so on.

**Ms. Sandeman:** In the list of investigations, I see there were nine deaths under child abuse, battering children; that's the next table. Is that figure going up from year to year, the number of—

**Dr. Cotnam:** Of battered children?

**Ms. Sandeman:** Yes.

**Dr. Cotnam:** No, it is remaining relatively constant. If anything, perhaps there is a little decrease since the Child Welfare Act was amended, I believe in 1965, making reporting compulsory and so on.

**Ms. Sandeman:** Right.

**Dr. Cotnam:** We are still running at about one death a month or something like that in spite of the increase in population.

**Ms. Sandeman:** Do you feel, when people see those children at autopsies, that there are signs of earlier assaults which have not resulted in death and may not have been reported or have gone unnoticed?

**Dr. Cotnam:** That's correct. We don't label a child as a battered child unless they fulfil the definition of a battered child which, in itself, indicates repetitive trauma or repetitive neglect of some type. Otherwise, we don't even classify it as that. All of these are really battered children who have gone over a period of maybe weeks or months or a year or so prior to death, when they were either not reported to anyone or were reported and

not acted upon. In the end, they come to our autopsy table.

**Ms. Sandeman:** There has been some discussion in the press recently about the necessity for amending the Act or bringing in new legislation to make it an offence not to report. Was that something that you suggested? I can't remember who it was.

**Dr. Cotnam:** I suggested that.

**Ms. Sandeman:** I would have to agree with you on that. Are you getting anywhere with your suggestions? Do you have the minister's ear?

**Dr. Cotnam:** I haven't heard of any amendments yet.

**Ms. Sandeman:** Have you got any comments on that, Mr. Minister?

**Dr. Cotnam:** It is really under the Child Welfare Act.

**Ms. Sandeman:** I suppose, but perhaps the minister could be asked to put some pressure on his colleagues, because you have the—

**Dr. Cotnam:** The present Act says—

**Mr. Singer:** Another job for the secretary.

**Hon. Mr. MacBeth:** He can only take one job on every half year, Mr. Singer.

**Ms. Sandeman:** I would like you to take on the battered children while you are taking on whatever you promised to take on for Mr. Singer.

**Hon. Mr. MacBeth:** Certainly Health is looking into it and certainly anything we can do we should be doing. If Dr. Cotnam has anything or any suggestions on it, you know we will be glad to do anything possible to assist.

**Dr. Cotnam:** This has been a particular interest of mine for 15 years now, the battered child. I think our office was the first one in Canada to pinpoint this problem. It was already pinpointed in the States a few months prior to that. But this has been of great interest to us. We know from our experience through the years that in Ontario today, with eight million people, there should be about 2,000 to 2,500 cases a year of battered children that should be reported. We are only getting about 500 and something reported through the ministry setup at this time. This is 25 per cent maybe. Seventy-five per cent are not being reported at the present time.

We have advocated two things for years: First, there should be compulsory reporting with a penalty. The Act now says they must be reported, but there is no penalty if you don't report it. Secondly, the Act says a battered child should be reported to a Children's Aid Society or a Crown attorney. I don't think it should be either one. I think it should be the police. This is a criminal thing that you are reporting. I would say if they want to report to the Children's Aid, that's fine, but they in turn should have to report to the police. This is not being done now. We know of many cases with the Children's Aid that died in the end, that never got to be a police matter at all.

**Mr. Singer:** We've never had a real difficulty before. We have got a provision in the Highway Traffic Act directed to the doctors—and I think there's a penalty attached to it—in the event they find a driver who is incapable of driving, by age or disease or whatever, he has a duty to report it to the registrar of motor vehicles or somebody. The incidence of that kind of reporting, according to my recollection, is almost nil.

**Ms. Sandeman:** The problem is one that's very difficult to legislate for. We were all brought up from our earliest years not to interfere in the business of our neighbours. But in something like that—where it's absolutely vital that people interfere—that kind of social sanction overrides the gut feeling that you have got to help that kid. People are scared to get involved, scared of retribution from their neighbours and so on. It's a real—

**Dr. Cotnam:** Of course, the legislation doesn't just apply to doctors you know. The way it's written it says any person with knowledge—

**Ms. Sandeman:** Yes, and this—

**Dr. Cotnam:** —the same as the Coroners Act. So it applies to social workers, nurses, school teachers, and nosy neighbours, they used to call them. I don't think that they are nosy if they report that sort of thing.

**Ms. Sandeman:** I think probably most of the reporting, if it was done in your 2,000 cases or whatever, would probably come from the nosy neighbours, after the very first few months when there is a public health nurse coming in. There are two or three years when many families don't have any direct contact with social agencies—such as schools. A good teacher will pick up on the battered kid. But there are two or three years when a



child is very vulnerable physically and emotionally and is at home. Unless the nosy neighbour or somebody speaks out, you—

**Dr. Cotnam:** But then somebody has to do something about it too.

**Ms. Sandeman:** Yes. There was a tragic case in England last summer, when a child was starved and beaten to death. Both were contributory causes of death and there were five or six different social agencies involved. I am sure we have the same thing happening here.

**Dr. Cotnam:** We had one I recall very well. It came originally from the area that you represent and was reported by five or six neighbours in the Peterborough area. Then the family moved to Oshawa and it was reported by five of six more neighbours there in the apartment building—and nobody ever did anything about it. Eventually, of course, the child was dead. The police knew nothing about it. No physician knew anything about it—nobody.

**Hon. Mr. MacBeth:** They were reported to whom?

**Dr. Cotnam:** Reported to the Children's Aid Society in both places, in both Peterborough and Oshawa. They took it upon themselves to look after the case, without reporting it to the Crown attorney or the police or anybody.

**Hon. Mr. MacBeth:** Under the Summary Convictions Act I think there's a general penalty that perhaps applies. But as Mr. Singer says I am not so sure it's the penalty that keeps people—at least would force people to do it. I think it's these other things that people are just not sure whether this is a continual thing they have seen or not. But if anybody has any suggestions of how to improve it, we would certainly—

**Ms. Sandeman:** I wish I had some.

**Hon. Mr. MacBeth:** —welcome them.

**Ms. Sandeman:** The other child-related death I wanted to ask you about was the sudden infant death syndrome. Is there any kind of a breakthrough, that you know of, on discovering the causes of those deaths?

**Dr. Cotnam:** Not really. I think you might direct this question again to—

**Ms. Sandeman:** The Minister of Health?

**Dr. Cotnam:** Dr. Smith. But as far as I know, there is no real breakthrough in sudden infant death.

**Ms. Sandeman:** Are the numbers increasing or is it pretty steady as a percentage of the new population?

**Dr. Cotnam:** I think here it is pretty steady; I don't see any great increase or decrease. Although there was an article in the paper last week on some jurisdiction in the States where they thought it was on the marked decrease. I don't know how they came to that conclusion but in that particular jurisdiction they said it was greatly decreasing.

**Ms. Sandeman:** Yes, now all they have to do is find out why. It sounds so simple.

The other statistic given on that same page of the number of investigations on those who died in custody, which, I presume, includes what—jails, hospitals?

**Dr. Cotnam:** Yes. It is as identified in the Coroners Act. Anybody in custody, in a police cell or a correctional institution or anywhere, who dies while in custody. There is a mandatory inquest here, under the Coroner's Act.

**Ms. Sandeman:** So is that number increasing?

**Dr. Cotnam:** I think we have comparative figures here somewhere.

**Ms. Sandeman:** But a total of 29 for this last year.

**Dr. Cotnam:** I think this has remained relatively stationary for some years now—this is just the population difference. Mind you, there are still quite a number dying in custody.

**Ms. Sandeman:** Far too many, yes. We had a case in Peterborough which I think spoke, in a sense, to the inadequacy of the recommendations that come out of inquests. It was a suicide in the jail and, I think, it was the third within a very short period—about 18 months to two years—which in a jail that only has two dozen cells is a very high percentage.

The inquests always seem to me to confine themselves fairly narrowly to mechanical causes of death, or things you can do to prevent it. Instead of asking the questions and making the recommendations around trying to prevent such a high percentage of deaths in such a small closed setting, the inquest jury suggested that the obvious thing that should be done would be to have better resuscitation equipment. That's obviously a

priority but it seemed, to me, to be so insignificant in that whole area of jail suicides.

**Dr. Cotnam:** It may have been narrow in those particular ones. We've got some awful good recommendations from coroner's juries about TV monitors and more frequent visits and, mind you, these have been implemented. Many jails now have TV monitors.

**Ms. Sandeman:** Yes, they do, that's true. And again, I would say that that is in a sense a mechanical device. It doesn't speak to the unrest and disturbances in those centres. It isn't your job I know to look at that, but there still seems to me to be far too many suicides in jails. The accidents at home; I guess the figures show that we're always being told—that the home is a pretty unsafe place to be, particularly the number of deaths from falls.

Do you know the age distribution of that? Would that mostly be older people, a little unsteady on their legs, perhaps?

**Dr. Cotnam:** I don't think so!

**Ms. Sandeman:** You've got 188 deaths out of 922—that's probably around 16 to 18 per cent.

**Dr. Cotnam:** It's all ages, but I haven't got an age breakdown here. I don't think we have it. We will have this sort of information, as I pointed out with our new statistician now, but really I don't think there is any great age distribution. This could be children or adults or elderly people, pregnant people, whatever.

[8:30]

**Ms. Sandeman:** When you get such a large number of deaths from an accidental source, does the ministry or somebody try to produce some public education around how to prevent accidents in the home? I think there are sporadic attempts, but is that something that comes under your jurisdiction, Mr. Minister, just as fire prevention does? Does prevention of accidents in the home come under your jurisdiction?

**Hon. Mr. MacBeth:** I suppose it could. I don't know of anything that we've done in the nature of safety in the home. I'm looking at the deputy; I wonder if he knows of any educational attempts we've made regarding safety in the home.

**Mr. Russell:** We have made attempts in the area of fire prevention, but I don't know of any specific attempt regarding safety in the home.

**Hon. Mr. MacBeth:** We were talking about overlapping jurisdictions earlier today and generally speaking, in the whole field there are many overlapping jurisdictions of safety. The Workmen's Compensation Board does lots on safety, the Ministry of Labour does a great deal on safety —

**Ms. Sandeman:** That's all in the work place, though.

**Hon. Mr. MacBeth:** — the Health people deal with safety matters and, of course, so do the Environment people. There are many publications put out by various organizations in regard to safety in the home; I'm not so sure it needs somebody else to enter the field as perhaps better circulation of the information that is available.

**Ms. Sandeman:** I think some of the most effective TV advertising at the moment, is the series done by the Workmen's Compensation Board showing that guy who steps on a nail or falls off a ladder; you can almost feel the nail going in his foot or him falling off the ladder. I wonder if there could be any usefulness in doing a similar series about loose objects on the stairs or the saucepan handle sticking out instead of in—all the things at home that are as ordinary as not wearing your safety boots if you're at work. I would guess that many of the falls in homes are caused by people leaving things on the stairs.

**Dr. Cotnam:** There's one organization I can point out—there may be other local ones that I'm not aware of—and that's an organization in Toronto called the Metropolitan Citizens' Safety Council; I have been a trustee of that for eight or 10 years now. We have three different committees—the home safety, fire safety and water safety committees—and they do a great number of things in Toronto; I don't know whether you've ever seen them. They put on a great number of TV and radio spots at the appropriate times of the year with respect to swimming, home accidents and fire prevention. This has been going on for years and years now. This is subsidized by Metro council and by industries in this area which make donations.

**Ms. Sandeman:** Some of us don't live in Metro.

**Dr. Cotnam:** I don't know whether there are similar organizations in Ottawa, London or wherever —

**Ms. Sandeman:** I don't think so.

**Dr. Cotnam:** — but there is one here.

The only thing we can do out of our office, of course, is make all this stuff available to the press. They're in our office almost every day wanting information on some topic and, of course, we give it to them.

**Ms. Sandeman:** Right. I guess the message slowly gets through.

I see the home is even an unsafe place to conduct your love affairs in. You can die in bizarre and peculiar ways, I gather—or by therapeutic misadventure.

**Dr. Cotnam:** Sexual misadventure?

**Ms. Sandeman:** Yes. I'd better be even more careful in the home than I've ever been before, I tell you.

**Mr. Breaugh:** It depends on whose home it is.

**Dr. Cotnam:** We have to document all the hazards. The rate is not bad.

**Hon. Mr. MacBeth:** For a province this size, the rate is not too bad.

**Ms. Sandeman:** The other table that I found very interesting was the one on maternal death statistics. It's several pages further on. I would presume that the figures of death as a result of criminal abortions have been steadily dropping. Is that true?

**Dr. Cotnam:** Yes. I don't believe any —

**Ms. Sandeman:** I see we're now down to zero.

**Dr. Cotnam:** Down to zero. We have very few.

**Ms. Sandeman:** How would that compare with, say, 10 years ago?

**Dr. Cotnam:** There would have been quite a number 10 years ago.

**Ms. Sandeman:** There's one fetal death so you still are finding that the backstreet abortionist, obviously, is still in business somewhere but not nearly as much as before?

**Dr. Cotnam:** That's correct. Of course, some of the maternal deaths are not necessarily connected with obstetrics. It could be a pregnant woman who is knocked down by a vehicle and killed by a car and we may put it in that classification.

**Ms. Sandeman:** No, I don't think that's quite true, actually, because your first table shows that you've got 19 deaths in which pregnancy was involved. Your very first table shows 19 deaths in which pregnancy was in-

volved. That would be the women knocked down by cars.

**Dr. Cotnam:** That's correct.

**Ms. Sandeman:** I would suspect that your five maternal deaths—

**Dr. Cotnam:** This is straight obstetrics; that's right.

**Ms. Sandeman:** That must be a fairly good statistic compared with some jurisdictions but I would guess it could be better still.

**Dr. Cotnam:** It is good compared with most jurisdictions and, of course, we would like to see that figure at zero, too. Each one of these deaths, incidentally, we report to a maternal mortality committee under the Ontario Medical Association. They do their own investigation after and determine whether it was preventable or non-preventable or was the physician at fault in it.

**Ms. Sandeman:** Would you have any memory of the figures from previous years and 1975, too? Among the material deaths is there a higher number than you might expect, say, of native women or northern women? There is nothing to show that—

**Dr. Cotnam:** No, I don't think so. Most of those, if you would look into them, are just very poor obstetrics or very poor pre-natal care. The woman has never gone to anybody and just arrives on the hospital steps at the last minute and in bad condition.

**Ms. Sandeman:** I think that was probably all. The suicide table you've got broken down several different ways, by age and by cause of death. We had a discussion earlier about your concern about the increasing number of teenage suicides.

**Dr. Cotnam:** Right.

**Ms. Sandeman:** Is it your feeling that the suicide rate is going up in the province? You mentioned that the teenage suicide rate is going up; does the general rate remain constant as a factor of population?

**Dr. Cotnam:** Yes. It is our feeling that this is remaining very constant according to the population but there is a shift in the age group—

**Ms. Sandeman:** It's getting younger.

**Dr. Cotnam:** —to a younger age group and, of course, right down to these small children. We reported two last year—I think aged nine



and 13—and we had another one three or four weeks ago, I think, aged 13 again.

**Ms. Sandeman:** Finally, I should have mentioned it before I guess, under the homicide section, the last of the tables, you have battered children, four, as homicides. What would make the police decide that in some cases it's a homicide when the child dies as a result of the battering and in some cases it's an accident?

**Dr. Cotnam:** I think probably there are many of them which could be classified as homicides but which can't be prosecuted in the end at all. There simply are no witnesses whatsoever; that is one of the common factors among many battered children. You can't find out in the end who did it. Of course, the child is dead and there are no witnesses so often they don't proceed with any charges. In some, as you can see here, they did proceed with four of those. I would have to follow up on them again to see how many were successful; perhaps two or three of those got nowhere in court again with criminal charges. On the other hand we've kept a list. We have 115 or 120 cases now since I started recording them and there are a fair number who have been convicted of homicide.

**Mr. Chairman:** Before I ask Mr. Singer, I have a very short question to ask you, doctor. Do you miss Dr. Morton Shulman very badly?

**Mr. Singer:** Tell me, Dr. Cotnam, what is this death by sexual misadventure about?

**Ms. Sandeman:** I was too much of a lady to ask that.

**Hon. Mr. MacBeth:** The husband came home ahead of time.

**Mr. Singer:** That was suggested.

**Dr. Cotnam:** I'd have to look them all up.

**Mr. Breaugh:** All he wants is the address.

**Dr. Cotnam:** I would think some of them were people with weak hearts, that sort of thing.

**Mr. Chairman:** That's the only stimulation most people get.

**Mr. Singer:** Life in your office has been pretty quiet since that man the chairman was talking about has departed. But with the new Act do you find that that is satisfying most of the people who had complaints and concerns? We had a great fuss, but I don't

think I've read about serious complaints about inquests in the last year or two.

**Dr. Cotnam:** I think the Act is working very well really. It took a year or so for many to adjust to it and some of our new coroners are still adjusting to it. I think it's very fair. Designating persons with standing who can have a solicitor and agent has made the inquest procedure much fairer and better all around.

**Mr. Singer:** Have you had many complaints from the legal profession?

**Dr. Cotnam:** No, not too many. I think that we get the occasional complaint from the legal profession.

**Mr. Singer:** What sort of complaints have you been receiving?

**Dr. Cotnam:** We've had different complaints and some of them I'd say were justifiable. Others feel that perhaps they weren't allowed extensive enough cross-examination or something of that nature. I think most of the solicitors I have talked to throughout the province are very pleased with the new Act, and they certainly weren't before.

**Mr. Singer:** No, I know. Have you had any solicitors who, notwithstanding the new Act, have felt they have been denied their opportunity to defend their clients, to ask questions, to cross-examine, to look at material, to look at the exhibits and that sort of thing?

**Dr. Cotnam:** No, I don't think we've had too much of that. We had one case that went to Divisional Court because the solicitor wanted more persons with standing than the coroner would allow. This went to Divisional Court on two occasions. On the first occasion they said in effect for the coroner to take a second look at it. The solicitor went back and the coroner took a second look and gave two more persons with standing, but he still refused six. They went back to Divisional Court the second time and the judgment of the court was go back to the inquest, forget about it and carry on with the inquest. That's the way it happened.

**Mr. Singer:** How many coroners do you have?

**Dr. Cotnam:** We have 380.

**Mr. Singer:** How many of those are full-time?

**Dr. Cotnam:** There is just myself, the deputy chief coroner and three regional coroners. That's five that are full-time. The rest are all on a fee-for-service basis and are in all branches of medicine.

**Mr. Singer:** Have you got a ready breakdown of their professional qualifications? How many are doctors? How many are lawyers?

**Dr. Cotnam:** They are all doctors.

**Mr. Singer:** How many are doctors and lawyers?

**Dr. Cotnam:** Two, to my knowledge.

**Mr. Singer:** Only two?

**Dr. Cotnam:** The Act requires that they be a physician in good standing with the College of Physicians and Surgeons. If you are erased or suspended you are automatically out as a coroner.

[8:45]

**Mr. Singer:** I think really the only substantial comment I have at this time is that since your office is so quiet, either the new Act must be doing a great job or you must be doing a great job or you and the new Act together are doing a great job, or perhaps, even as the chairman suggests, we haven't got Morty Shulman around here to stir things up. I have heard very few complaints in the last little while, in the last year or two years, about the conduct in that office. And I think that's a good thing.

**Hon. Mr. MacBeth:** I was just making a comment, to the chairman, that some of the credit should be due to the new minister but he was loath to give me that chance.

**Mr. Chairman:** He'd have to do it himself.

**Hon. Mr. MacBeth:** He wouldn't do it publicly.

**Mr. Chairman:** I'm not paid for that. Mr. Singer?

**Mr. Singer:** I have no further questions.

**Mr. Chairman:** Under suicides and depressants, is this alcoholic depressants basically—is that what the reference is to? It's under the heading of a number of pieces "Drugs, secondary cause" and then further down the page—

**Dr. Cotnam:** Are you looking at the full page on suicides?

**Mr. Chairman:** No. Suicide is just one of the items on this page. It reads down, carbon monoxides, depressants, hallucinogens, it goes on down the page, breaking down the various types of substances that were used.

**Dr. Cotnam:** Right, I have that page.

**Mr. Chairman:** I am just wondering what the reference to depressants would be.

**Dr. Cotnam:** Depressants will be depressant drugs such as barbiturates and tranquilizers and—

**Mr. Chairman:** And not alcohol particularly, Dr. Cotnam?

**Dr. Cotnam:** No.

**Mr. Chairman:** I would think it would be very difficult to distinguish emotions with carbon monoxide poisoning, as between accidental and suicidal deaths.

**Dr. Cotnam:** Well, of course, in many cases it is. It's very difficult to determine suicide from many other causes, whether it's a homicide or accidental or suicide. But we have to teach our coroners that they must make a determination to the best of their skill and knowledge in each case. Occasionally, they will put down undetermined; they don't know why. But if they believe it to be a suicide, and, of course, frequently we have a note or other evidence, then they are to classify it as suicide. Even though this may be questioned in another court later on for insurance or whatever purposes. They are to be honest in their determination at the time, what they feel.

**Mr. Chairman:** These estimates, you know, doctor, could be a wonderful opportunity upon which either to get yourself fired, or to get something done that you particularly wish to get done in your area of responsibility. I look at the bottom of the page, statistical report, and see that you made 998 recommendations and 204 of those were never implemented. Now, I mean it would be an onerous task for us to ask to know what the 998 were, or even particularly to ask what the 204 might happen to be, but are there—I am playing into your hands, I can't help myself, I am a child of the Legislature, very infantile at the present time—are there recommendations there not implemented that ought to be implemented and why not?

**Dr. Cotnam:** I would say that in that 204 figures there are some that I feel should be implemented, which are not. And some will be later. But on the other hand, I have to admit there are some recommendations that are in there made by coroners' juries that are nonsensical. We may forward them as a matter of course, knowing very well that nobody is going to implement them. I feel foolish sometimes sending them forward because, after all, every recommendation made by a coroner's jury isn't

justifiable. So there are a certain number in that 204 that I'm not too concerned about.

**Mr. Chairman:** Yes. Would you say it was a substantial number?

**Dr. Cotnam:** I would say a substantial number of that.

**Mr. Singer:** Do you feel that some of those indefensible recommendations might have been inspired by a coroner who is off on a little journey of his own, a particular coroner? Have you put those things together, insofar as they might relate to particular coroners?

**Dr. Cotnam:** I don't like to admit that and I don't like to feel it's true. But I must say, in all truth, I guess coroners like other people are human and they go off on cru-sades and they get juries to make recommendations that aren't reasonable or practical.

**Mr. Chairman:** Let me just finish. I won't take too much longer. Among the recommendations which you state should be implemented and which are not, could you give us some idea of what two or three of them might be?

**Dr. Cotnam:** It could be such a thing as a railroad crossing going through a village where there have been multiple fatalities over a period of years. They may have held two or three inquests into that area and it would appear to us from the traffic and the volume there that they should have a protected crossing or whatever. I'm not suggesting underpasses or overpasses but some of these are totally unguarded. We feel that certainly some of those things should be done—and they're not done.

**Mr. Chairman:** Give me another example.

**Dr. Cotnam:** On highways—intersections and things like that. We might talk as coroners from what we've seen and the accident statistics at that particular intersection, plus the deaths, plus the recommendations, and we would think that something should be done about it. But perhaps, after a period of years, nothing has been done.

**Mr. Chairman:** Is there any area—for instance, in drug abuse—are there any types of drugs which are recommended that ought not to be sold except only under very special circumstances by prescription obtained? Are there any matters like that in common

usage which should be taken off the market or more highly restricted?

**Dr. Cotnam:** We've made many recommendations over the years about drugs and prescriptions and so on. They certainly haven't all been remedied yet. Some doctors are prone to give people who are out of an institution 500 or 1,000 capsules at a time. We've had them suicide within 12 and 24 hours. They've got a bag of pills with them and they're under nobody's custody. That's just one example.

**Mr. Chairman:** In a case of that kind, would you feel under any obligation to inform the College of Physicians and Surgeons?

**Dr. Cotnam:** We do. In a case of that kind, whether it comes to an inquest or not, we inform the college.

**Mr. Chairman:** Have you had occasion to inform the Law Society of the operations of barristers and solicitors?

**Dr. Cotnam:** I don't believe so.

**Mr. Chairman:** Oh, I see. What a clean bunch they really are. Mr. Gregory.

**Mr. Gregory:** Most of the things I've wanted to ask have been covered by either Ms. Sandeman or Mr. Singer but one point I'd like to get some clarification on is the qualifications of coroners.

It seems to me that these are people who wear many hats. They must almost be trial judges as well as medical doctors and, no doubt, a great deal of the information they come forward with is used in courts, particularly in the case of homicides. Granted they have to be a medical doctor, but is this the only qualification they must have? I guess what I'm driving at here is what is it about a medical doctor that makes him qualified to be a judge, in effect at a coroner's inquest or an inquiry? What gives him that ability?

**Dr. Cotnam:** I think this is educational. I can't say that because he's a medical practitioner he's any better than anybody else to preside at an inquest. I think we can teach anyone to preside at an inquest who has reasonable intelligence and education and so on. The Coroners Act simply says you must be a duly qualified medical practitioner to be appointed a coroner. After that, it's up to me and my staff to teach him the essentials of what is required of a coroner and also how to conduct or preside at an inquest. We run educational programmes all the time. We have for the last 15 years now.



**Mr. Godfrey:** What is the term of office, or is there a term of office for a coroner, or is it something that goes on?

**Dr. Cotnam:** Seventy years of age, automatic compulsory retirement, except for full-time coroners where it's 65—the same as other civil servants.

**Mr. Godfrey:** But for a doctor who is appointed a coroner there is no specified term? If he's appointed at age 30, for example.

**Dr. Cotnam:** He could be there until he's 70.

**Mr. Gregory:** Is there any vehicle by which he can be removed through unsatisfactory service on frivolous recommendations, that you were mentioning earlier?

**Dr. Cotnam:** I think if it is frivolous recommendations or something of this nature it's up to us, in our office, to reprimand this fellow and tell him we want him to do a better job in future. I don't think he should be fired because of that. He just has to correct what he is doing. But, nevertheless, there are mechanisms on getting rid of a coroner. As you know, the gentleman we talked about a while ago here was relieved of his coronership—the gentleman that the chairman mentioned.

**Mr. Gregory:** I guess, what I'm getting at is if you have a doctor, a coroner, who goes on an adventurous sort of thing and submits a recommendation, in accordance with what you said—I think it was 200 and something recommendations, many of them were somewhat adventurous or prompted by his own little thing, that he had going. What do you do in a case like that?

**Dr. Cotnam:** First let me qualify that. That 204 isn't necessarily all as a result of the coroner being on a crusade or whatever.

**Mr. Gregory:** No, you said some part of them were, though.

**Dr. Cotnam:** Some part of them were. A lot of them were juries themselves. You never know what a jury is going to do. No matter what evidence is put in front of them, juries can come up with some pretty strange things sometimes, too.

**Mr. Gregory:** But wouldn't a coroner who was chairing that jury submit a report to you explaining how it was—

**Dr. Cotnam:** He may. He may write me a letter and say, "These are nonsensical

recommendations." He has no way of cancelling them out. If that is the way the jury brings it back, that is the way they bring it back.

**Mr. Gregory:** Yes.

**Dr. Cotnam:** There are certain things they can't say. They can't indicate legal responsibility, or arrive at any conclusion of law, in their verdict or recommendations. But otherwise—

Interjections.

**Dr. Cotnam:** But they can come back and say, we want a bridge built across the river at this site, or something which is just not reasonable or practical. It might be to them in that local community, but it doesn't fit in with the scheme of things.

**Mr. Gregory:** What I'm getting at is, if it was some sort of thought the coroner himself had, motivated by whatever, and it was somewhat ridiculous but that was his thought, you are not going to re-educate him. Not likely? There are mechanics by which they can be removed?

**Dr. Cotnam:** Yes, correct.

**Mr. Gregory:** Is that rarely used?

**Dr. Cotnam:** No, it hasn't been used too much yet. It has only been in this new Act. For example, a coroner's counsel is in section 7 of the Coroners Act and subsection (a) says:

The function of the coroner's counsel is to review and recommend to the minister the termination of the appointments of coroners who are not actively performing their duties, or to receive complaints respecting their misbehaviour or incompetence or of neglect of duty by coroners, or the inability of coroners to perform their duties.

So this mechanism does exist to my knowledge. Nobody has made this sort of complaint to the counsel yet to have a coroner removed, but theoretically any citizen can do that. Of course, I am quite sure the minister and the government who appointed anybody can also remove them from office by order in council.

**Mr. Gregory:** Looking down the list—of course, many of these terms are very foreign to me—it would seem to me to recognize all of these things. A medical doctor would have to have had some medical experience other than college, is that correct?

**Dr. Cotnam:** We have some guidelines we go by. We don't like to have a coroner who hasn't been in practice for at least four or five years. We want him to be familiar with other things besides didactic training and so on, and get the feel of a community. Then he'll make a much better coroner.

**Mr. Gregory:** But it is possible a coroner could be appointed without having that four or five years. It has been done?

**Dr. Cotnam:** It has been done.

**Mr. Gregory:** Thank you.

**Mr. Chairman:** Any further discussion on item 4? Carried.

Item 5, pathological forensics.

Okay, Mr. Breough please.

[9:00]

**Hon. Mr. MacBeth:** Not doing remarkably well, I see.

**Mr. Breough:** Can I have a simple explanation as to why a doubling of the budget is in order this year?

**Dr. Hillsdon Smith:** This year?

**Mr. Breough:** Yes.

**Dr. Hillsdon Smith:** The budget has been reduced this year by \$31,000.

**Mr. Breough:** It says in my book that in 1974-1975 you spent \$197,833; 1975-1976 estimates, \$431,000 down to \$400,000; but the actual last year was \$197,000 and the estimate this time around is \$400,000.

**Dr. Hillsdon Smith:** This year it's \$400,000. Last year it was \$431,000.

**Hon. Mr. MacBeth:** The actual you are going by is 1974.

**Mr. Breough:** I see what you've got. Why the jump in that previous year?

**Hon. Mr. MacBeth:** Because they don't have the actual for last year yet for—

**Mr. Breough:** You don't know what it is?

**Hon. Mr. MacBeth:** —publication. They still have to work on estimates.

**Mr. Breough:** Why did it jump in that one year period though?

**Dr. Hillsdon Smith:** Because initially, during 1973-1974 and part of 1974-1975, I had no staff.

**Mr. Breough:** That always makes a difference. What kind of work do you do at this? Could you explain that a bit more for me?

**Dr. Hillsdon Smith:** Myself, or the branch?

**Mr. Breough:** You.

**Dr. Hillsdon Smith:** Well, I do three things really. I carry out autopsies on complex cases, particularly homicides. I examine any skeletal remains that are brought into the office from the rest of the province—and spring and this time of year is quite a fruitful period. I run seminars for pathologists and police officers in forensic pathology. I lecture quite widely at universities throughout the province, and I administer the forensic pathology branch.

**Mr. Breough:** Is your work almost exclusively in the criminal field?

**Dr. Hillsdon Smith:** Yes.

**Mr. Breough:** You don't do any work for anyone else?

**Dr. Hillsdon Smith:** Well, when you say criminal field, if you will include the coroners' autopsies—

**Mr. Breough:** Yes.

**Dr. Hillsdon Smith:** —that includes that, yes. But even then I do mainly homicides.

**Mr. Breough:** For example, though, you would not be doing any work for any other ministry, Health or anything like that?

**Dr. Hillsdon Smith:** No.

**Mr. Breough:** Is that outside of your purview?

**Dr. Hillsdon Smith:** Yes, it is.

**Mr. Breough:** Okay, I have exhausted my expertise. Dazzled you, eh?

**Dr. Hillsdon Smith:** Don't feel too badly about it. I received a letter this morning addressed to the forensic path department and forensic was spelled fotzenic.

**Mr. Breough:** That wasn't me.

**Mr. Singer:** We seem to have run out, Mr. Minister, of all the information in this book. Do we have another book?

**Dr. Cotnam:** There are addendums to it but only—

**Mr. Singer:** Or do we have to go to the reports? Do you have another book to show us?

Interjection.

**Mr. Singer:** The last five pages of the book?

**Mr. Chairman:** Ms. Sandeman wishes to speak.

**Ms. Sandeman:** I wanted to ask Dr. Smith if there is any connection between the intense activity relating to bedding down of staff, which you mentioned, and the 11 deaths by sexual misadventure in the previous vote?

**Dr. Hillsdon Smith:** I am surprised there are only 11 actually. There might have been more than that. Sexual misadventures covers a very interesting field. In fact, we have an FBI agent come to our seminars at least once a year, sometimes twice, to speak—or prepared to speak for six hours on this subject. But, no, there is no cause and effect there.

**Ms. Sandeman:** Nothing to do with you bedding down your staff?

**Dr. Hillsdon Smith:** No.

**Ms. Sandeman:** Oh, I see.

**Mr. Chairman:** Any further questions?

**Ms. Sandeman:** I don't know what to ask. I'm fascinated by this. You know, I feel, if I just ask the right question I shall unlatch a Pandora's box. I like your—the fruitfulness of the spring season when the snow melts and all the skeletons emerge.

**Dr. Hillsdon Smith:** That's a fact, yes.

**Ms. Sandeman:** Yes, April is a cruel month, breeding skeletons for the forensic pathology lab. Horrible sight.

**Mr. Chairman:** Springtime of the year.

**Ms. Sandeman:** They are keeping you busy, are they?

**Dr. Hillsdon Smith:** Yes.

**Ms. Sandeman:** Is there any research department within your laboratories setup?

**Dr. Hillsdon Smith:** Yes.

**Ms. Sandeman:** Is there a budgetary amount or is it just something that happens along with what you do?

**Dr. Hillsdon Smith:** It is something that happens along with what we are doing.

**Ms. Sandeman:** So that if you get something really interesting, somebody would write a paper, would they?

**Dr. Hillsdon Smith:** That could be called case research—carrying on on a case by case basis. In addition to that we are doing some work on the identification of human remains based on the finer bone structure of the body, on the basis that if we take a forearm bone, your forearm bone, mine, or anybody else's—

**Ms. Sandeman:** You can't have mine—yet.

**Dr. Hillsdon Smith:** —they are all different. If we have x-rays available taken before death, we can do a comparison after death and we can achieve positive identification on that basis. We are using a technique called xeroradiography which is primarily a technique invented for the detection and screening of breast cancer. We are using it in forensic fields.

**Ms. Sandeman:** Can I ask you a layman's question? I thought xeroradiography showed up hot spots. If your bodies are all cold, what does it show then?

**Dr. Hillsdon Smith:** No, xeroradiography is an x-ray technique using conventional equipment except you don't use x-ray film. You use paper and you get a different result. It gives very much better detail of soft tissue as opposed to bones. We are using that in relation to gunshot residues on clothing and things of that type.

**Ms. Sandeman:** Do you ever get to do any analysis—say an archaeologist is doing a dig and comes across human remains, do you ever get a kind of little busman's holiday and do some of that stuff?

**Dr. Hillsdon Smith:** Occasionally, yes. Not as much here as I had in Scotland but I still get it here.

**Hon. Mr. MacBeth:** Tell them, if you would, about that skull you were showing me, which had the hole in it which had grown over for a while.

**Dr. Hillsdon Smith:** This was incredible. This is a skull just brought in—just found or dug up by some children—and there was a hole in it. It was an Indian skull, probably over 100 years old, with a hole there and a hole here and the assumption was these two were connected. It was not a bullet hole; it was probably due to an arrow. Yet this one under here, at the base of the skull, showed healing consistent with the person having



lived for six months, having had an arrow go through a rather tender part of the brain. It's quite incredible. That could be archaeological almost.

**Mr. Breaugh:** It was obviously a Liberal.

**Ms. Sandeman:** We don't have anywhere in Ontario where you would get the kind of preservation of human remains that—is it the bog people—

**Dr. Hillsdon Smith:** No, we haven't.

**Ms. Sandeman:** What a pity. That would be just fascinating.

**Dr. Hillsdon Smith:** Yes; 3,000 years old.

**Ms. Sandeman:** What are the oldest skeletal remains you've had to deal with?

**Dr. Hillsdon Smith:** I don't know because we are not really in a position to say precisely how long. We are interested primarily in the first 25 years because if there is any criminal activity witnesses may still be around. Otherwise it goes over to the Society of Antiquities.

**Ms. Sandeman:** I see.

**Mr. Kennedy:** Mr. Chairman, could I have a definition of the word forensic? I am sure there are about eight million Ontarians who don't understand it and I don't have a dictionary.

**Dr. Hillsdon Smith:** I think it means pertaining to the courts.

**Mr. Kennedy:** Corpse or courts?

**Dr. Hillsdon Smith:** No, courts; law courts.

**Mr. Chairman:** Judges; that kind of people. Did you notice the way I introduced it? I didn't call it what you have down here; I called it pathological forensics.

**Dr. Hillsdon Smith:** You may be right.

**Mr. Chairman:** I may be right. Continue.

**Ms. Sandeman:** I'm still waiting to ask the right question. I can't find it.

**Mr. Chairman:** I have a couple of questions in the meantime. I am intrigued to learn if they have taken all your pencils away from you because this year you've got a \$26,000 reduction in supplies and equipment? It strikes me as a wondrously strange thing that last year you had \$26,000 worth more pencils and paper. Why would you have that much more last year and not have the wherewithal this year?

**Dr. Hillsdon Smith:** Why? I don't think I should answer that.

**Ms. Sandeman:** Why not?

**Dr. Hillsdon Smith:** Under the restraints we are not able to hire a second medical technologist so we are going to save something there.

**Mr. Chairman:** So a second medical technologist would fall under supplies and equipment?

**Dr. Hillsdon Smith:** No, but he or she would use medical supplies.

**Mr. Chairman:** I see. He would be very useful—\$26,000 worth of that stuff for a single person sounds to me like pushing it a little hard. You have enough pencils, have you, doctor?

**Dr. Hillsdon Smith:** Yes.

**Hon. Mr. MacBeth:** Some of it would be expensive equipment, too.

**Dr. Hillsdon Smith:** Yes, it would. There would be equipment as well and supplies.

**Hon. Mr. MacBeth:** Last year they moved into the new buildings.

**Mr. Chairman:** I see. So this year the things are all set up. The other thing, in the Solicitor General's report the very great emphasis on this particular area—on travelling, on the educational aspect of this thing—again you've been cut back by \$4,500. How is that going to affect those wide-ranging activities—getting around lecturing and going to Pittsburgh and that sort of thing?

**Dr. Hillsdon Smith:** Most of the financial expenditures in connection with education are the seminars which are held in Toronto. About the question of travelling around, on the whole the universities, if they wish to take part in the undergraduate or postgraduate department curriculum, do pay the expenses.

**Mr. Chairman:** Did they not pay them in any event in previous years?

**Dr. Hillsdon Smith:** Sometimes they didn't, no. When we were just starting it off to try and get the ball rolling—

**Mr. Chairman:** This year because of the restrictions they will bear that burden?

**Dr. Hillsdon Smith:** Yes they will.

**Mr. Chairman:** To a greater extent than they have ever done before?

**Dr. Hillsdon Smith:** Yes.

**Mr. Chairman:** I see. This means, of course, a monumental increase in the university estimates.

**Mr. Singer:** I noticed, doctor, that you prepared 89 reports for the defence.

**Dr. Hillsdon Smith:** Indeed no.

**Mr. Singer:** No?

**Dr. Hillsdon Smith:** I hope not, at least—

**Mr. Singer:** It says here “reports for the Crown, x-rays taken, consultants, second opinions for the Crown and defence, 89.” How many then for the defence?

**Dr. Hillsdon Smith:** Three.

**Mr. Singer:** Three of the 89? I see. On what basis do you determine when you give the defence one?

**Dr. Hillsdon Smith:** When I’m asked.

**Mr. Singer:** When you’re asked. Do you honour them all?

**Dr. Hillsdon Smith:** I honour them all, yes.

**Mr. Singer:** You’ve only been asked three times?

**Dr. Hillsdon Smith:** I don’t put in an opinion unless what I have to say is contrary to the Crown witness. If I agree with the opinion of the Crown witness, then there is no point in pursuing the thing any further.

**Mr. Singer:** Do you charge the defence?

**Dr. Hillsdon Smith:** No.

**Mr. Chairman:** Ms. Sandeman, you had something else, I thought?

**Ms. Sandeman:** No.

**Mr. Gregory:** Just one question. It may be a silly question, but occasionally you run across stories or accounts of people who have been found—when they get to the morgue almost ready to treat them there is a sign of life, like a tear, a movement of a finger, or some such thing. Does this happen?

**Dr. Hillsdon Smith:** Yes, it does.

**Mr. Gregory:** Very often?

**Dr. Hillsdon Smith:** No, sir. It is a pathologist’s nightmare when he wakes up in the cooler—

**Mr. Gregory:** But it is something so that there would be a great deal of care taken to make sure all tests would be done to make sure he was—

**Dr. Hillsdon Smith:** Yes.

**Mr. Gregory:** It would be kind of frightening to have somebody sit up, I guess, wouldn’t it?

**Dr. Hillsdon Smith:** Very. It has never happened to me. But I do know of well-authenticated cases where it has happened.

**Mr. Gregory:** That’s a nice thought—my God!

**Dr. Hillsdon Smith:** We have safety locks on the inside.

**Mr. Kennedy:** On what Mr. Gregory said, I’m just saying it is a nice thought to close out the vote on. Signs of life from a corpse.

**Ms. Sandeman:** It might make us feel better if you would give us a number, like one in a million deaths or something, so you wouldn’t worry about us waking up in your cooler and giving you a nightmare.

**Dr. Hillsdon Smith:** I think it is so infrequent that when it does happen it hits the headlines for months.

**Mr. Chairman:** I see you’re doing work on testing on a thesis that the finer structure of any bone is unique to each individual—like fingerprints, I suppose.

**Dr. Hillsdon Smith:** Yes.

**Mr. Chairman:** What good is that? Are you going to take a little piece of our bone and put it away somewhere and then compare it afterwards?

**Dr. Hillsdon Smith:** No, but occasionally there’s no other method of identifying human remains, and these human remains can range anything from a recently dead whole body down to a few small pieces of bone. If we just have a few small pieces of bone then we can’t get visual identification, fingerprint evidence, dental identification. We can’t do a skull photograph superimposition. So we have to come down to this—this in fact was used recently in the High Court—where just a few small pieces of forearm bone were found and a positive identification was made by that means in a homicide case.

**Mr. Chairman:** Any further questions?

Vote 1502 agreed to.

**Hon. Mr. MacBeth:** Mr. Chairman, if I may just interrupt I said I'd appreciate the committee coming over sometime. I don't know whether it can be done conveniently once we adjourn but you'd find most interesting the explanation that both Dr. Beatty Cotnam and Dr. Hillsdon Smith can give of the two clinics—I guess clinics is not the right word—the two establishments we've just been talking about to have them on their own ground explaining what they're doing is a fascinating thing. I know you'd appreciate it. If you could do it I'd like you to do it.

**Mr. Chairman:** I think it's a good idea. We're back then to vote 1503-1, the Ontario Police Commission.

**Hon. Mr. MacBeth:** I think they are tied up. The OPP are here and are prepared to go ahead with 1504.

**Mr. Singer:** So we're not going to do the police commission.

**Hon. Mr. MacBeth:** They came on especially, if you remember, the other evening.

**Mr. Singer:** I wasn't here.

**Hon. Mr. MacBeth:** Mr. Bell, Mr. Graham and Gen. Sparling are down at Napanee on a three-day hearing which they had set aside some weeks ago. There are a great many witnesses and lawyers involved. They will be available again to us on Thursday and after.

**Mr. Singer:** Thursday and after.

**Mr. Chairman:** In the later part of next week, Mr. Singer.

**Mr. Singer:** Before or after?

**Mr. Chairman:** Vote 1504, Ontario Provincial Police management programme item 1, office of the commissioner. Any comments?

On vote 1504:

**Mr. Breagh:** In the outline here it refers to the overall supervision and usual support services in terms of staff development and specialized staff in the areas of public information. Could I get some information from you as to what kind of overall supervision is done? What do you mean by that?

**Hon. Mr. MacBeth:** Mr. Chairman, I would like again to introduce to you Deputy Commissioners Larry Gartner and James Erskine. Commissioner Graham is out in the country at the present time and will be back shortly but in the meantime we have both deputies with us.

**Mr. Chairman:** Continue.

**Mr. Breagh:** It purports here to have overall supervision. Could I have some definition as to what you mean by that? What kind of supervision, for example, is done of any one of the detachments that might be spread around the province? What do you do on a regular basis to supervise it?

**Mr. Gartner:** The supervision usually starts with sergeants and corporals in charge of shifts. They supervise all the investigations and the administration of each detachment.

**Mr. Breagh:** But is there an ongoing supervision programme? I guess what I'm saying is who supervises the work of a detachment? What kind of supervisory staff do you have? Who does visits to various detachments? Who runs checks on how the detachments carry out their duties and things like that?

**Mr. Gartner:** Initially, it comes under the assistant commissioner, field, and his staff in headquarters. It goes down to the 17 districts and each district has a superintendent and an inspector. In the larger districts there are two inspectors.

In addition to that we have a detective sergeant at each headquarters, a traffic sergeant at each headquarters and an identification sergeant at each headquarters, plus an in-service training officer and a community services officer. These people are seized with supervising each detachment on a continuing basis to make sure that the detachment follows out the policies and the work they do is of a high standard.

**Mr. Breagh:** It says, for example, in the report here—and you've said it again—that you have a formal inspection process. What I'm asking is what is the formal inspection process? What kind of things do they do?

**Mr. Gartner:** We have a number of staff superintendents whose main duty is to inspect the districts, each task and each man, as to how they're carrying out their duties. In addition to this, the superintendent of the district is required to carry out inspections, as is the inspector. We just put in a new inspection policy in which each supervisor must talk to each man at least once a month and see how he's doing on his job. Then the sergeant, in turn, checks with the corporals each month, and the higher levels at the district talk with the sergeants in each district and the staff sergeants.

**Mr. Breagh:** I'm having a little difficulty going from one outline here into your report



section. You're using the term management services, and I take it that all you have written on that in your annual report comes under this item? Is that reasonable to assume?

**Hon. Mr. MacBeth:** I think that's correct.

**Mr. Breagh:** Okay. Under this one you have items such as planning and research. There doesn't seem to be much here—again, very much like the things that we discussed the other night with the Police Commission and their planning and research. There seems to be a heavy emphasis on kind of technical things. Are there other things not mentioned in this report that you'd like to comment on; any kinds of planning, or the kind of training of OPP officers or special units that may be needed that aren't in place now, or liaison activities, things like that?

**Hon. Mr. MacBeth:** It might be a good thought, Mr. Chairman, if they could give a rundown of the kind of training that the OPP do as opposed to what goes on in Aylmer, or maybe take a constable from the time he is signed up with the OPP and outline what course he might follow, including your instructions to the OPP, and Aylmer as well.

**Mr. Erskine:** Sir, a new recruit coming on the force would attend our training and development centre on Sherbourne St., and there he would receive a two-week orientation course in familiarization with the policies of the force, a brief introduction to the statutes in the Criminal Code and laws of evidence. He'd be taught how to handle his equipment, and the general organization of the force.

Then he is transferred to a detachment where he is placed under a trained coach officer who continues to train him on shift from day to day until he goes to Aylmer, where he takes part A of his training. He then returns to his detachment and works with the coach officer in on-the-job training, then returns to Aylmer and takes part B of his training programme.

During that time he may also attend in-service training lectures in the district, put on by district in-service training officers, which teach a different subject each month during the training period. Officers other than recruits would get the latter training.

**Mr. Breagh:** In the descriptions that are here I really have to say again I find a

heavy emphasis on technical things—communications, how they are kept, how they are transferred back and forth. I don't see much in other fields. Is that a reasonable statement? There is heavy emphasis on making the OPP more efficient on keeping records in a better way, on getting information out and not a lot of what we discussed the other night and called, for the most part, entry into the social sciences, intervention and prevention?

**Mr. Erskine:** We're presently almost finished with the short-term development programme for senior personnel, where they're going into all the management areas and into the social sciences, and we're starting a long-term development programme that goes right down through the supervisory personnel of the force that would identify the people with certain potential in certain areas, and develop those potentials through the managerial and social science fields.

**Mr. Breagh:** Under this item 2, you also cover things like private investigators and security guards, which is a field that's growing by leaps and bounds, and in the United States probably—in a lot of cities, or urban centres anyway—would be as big an operation as would be police forces. Is that a growing field in Ontario?

**Mr. Erskine:** Yes, it is, sir.

**Mr. Breagh:** About how many of those would you license in the course of a year? Do you have any idea of how many security guards or private investigators are in operation in Ontario?

**Mr. Erskine:** We have the figure here somewhere.

**Hon. Mr. MacBeth:** It is my understanding that there are about twice as many private services of one sort or another as there are police. Do you have the exact figures, Mr. Erskine?

**Mr. Erskine:** We have the exact figure somewhere, but that estimate is very close.

**Mr. Breagh:** What kind of qualifications are required? There is a difference, of course, between registering and licensing, and the term used here is "registration." Do you have a set of qualifications, if you like, for things like security guards?

**Mr. Erskine:** I just found the figure, sir; there are 26,659 licences issued to individuals.

**Mr. Breagh:** Do you have any qualifications or whatever for security guards or anything like that?

**Hon. Mr. MacBeth:** While they are looking up some of that more precise information, I might say that is one of the matters the ministry is looking at at the present time. We hope to produce an Act in the fall—I think we mentioned it the other day—that will set out some regulations, qualifications and that type of thing for those security forces.

**Mr. Breagh:** It now seems to be a field where kind of retired people go—in a lot of the operations that I am familiar with, anyway—

**Mr. Singer:** Did you say retired or retarded?

**Mr. Breagh:** Retired—I didn't mean to use the big word—or older guys; they tend to go into these operations to pick up some extra income. There doesn't seem to be very many security guard systems that are armed. Are there?

**Mr. Erskine:** Only a few of the agencies, like Brink's, are allowed to carry firearms. Most of them are not armed.

**Mr. Breagh:** Do you make that distinction yourself? How do they do that, if I may ask? How does a security agency get a licence or permit to carry weapons?

**Mr. Erskine:** They would make an application to carry a firearm the same as any individual who's involved in—

**Mr. Breagh:** Does the agency make the application or does the individual working for the agency make the application?

**Mr. Erskine:** The individual would make it with a recommendation from the agency he is working for.

**Mr. Breagh:** In effect, almost any security agency could have some of its people apply for a licence to carry some kind of a weapon. How would you decide whether they would or wouldn't be permitted to do so?

**Mr. Erskine:** There are only a few of the agencies that do make applications to carry a weapon, and in most cases we do look at the background of the persons involved who are making the application to find out if they are citizens of good repute, with good repu-

tations, who are the type of persons responsible enough to carry firearms.

**Mr. Breagh:** Mr. Minister, you indicated you are thinking about this. I must say one of the things that disturbs me—and I hope we don't get to this, especially in Ontario—is that in other jurisdictions everybody seems to wear some kind of uniform and everybody who wears a uniform seems to be carrying a weapon. I find that a most uncomfortable situation because of the lack of controls over the thing and the lack of training that's involved. They might very well be reputable citizens and all that kind of stuff, but I really am leery of that.

Frankly, I am disturbed to see the Brink's guards carrying weapons in open holsters, which we don't allow a police officer to do in some places, and standing around in the middle of a shopping centre with a rifle perched on their hip. It strikes me as being the kind of thing we wouldn't let our own police officers do, and yet that private agency does it, and I would like to hear some response, probably from the minister.

**Hon. Mr. MacBeth:** I am concerned about it too. The number of those who are authorized to carry weapons is pretty small. Did you give a figure on that, Mr. Erskine?

**Mr. Erskine:** I don't think we have the figure here.

**Hon. Mr. MacBeth:** I am not saying that there shouldn't be any of them permitted to carry arms; I think it's reasonable that some should, but I too am concerned when I see them. I've seen them with their weapons drawn upon occasion and I think that's against the regulations, as I understand it.

[9:30]

**Mr. Erskine:** Yes, we did have some trouble a few years ago about security guards carrying money taking their guns out of their holsters and holding them in their hands. This is something that was most objectionable and they were warned to cease doing that. I haven't heard of any cases in the last couple of years where they've taken their guns out of their holsters.

**Mr. Breagh:** Specifically, what bothers me is when I see a private agency doing something that I know a police officer would not be allowed to do. The police officer works under much closer supervision and is, I think, far better trained. You wouldn't see a police officer standing around the middle of a shopping plaza full of people with a rifle on his hip.

**Mr. Erskine:** I haven't noticed the rifles but certainly the handgun out of the holster is something that the average police officer was very irritated about. A stop was put to that about five or six years ago.

**Mr. Singer:** I hear what you're saying. I've seen Brink's officers carrying their guns. They were carrying their guns as somebody else was carrying the sack of money.

**Mr. Breagh:** I've seen them more recently than that. From a safety point of view, somebody who is carrying some kind of a burden—it might be a bag of cash—and wandering around in the midst of a very heavily populated area with a weapon in his hand is doing something that no one else in our society is allowed to do. For all intents and purposes, it might be by the very simple act of stumbling that he might fire. The thing is that they're doing it in shopping centres; they're not doing it in the middle of a field. There is a chance of somebody being hit by a bullet, especially a ricochet bullet, because I don't think they use the new issue police bullet that will splatter you. It seems like a rather real possibility.

I guess the point I'm making is that in Ontario the citizenry at large have not adjusted to that notion that everybody can stick a pistol on their hip and wander around. We don't believe in that.

**Hon. Mr. MacBeth:** I hope they don't get adjusted to it either.

**Mr. Breagh:** So do I.

**Mr. Erskine:** This is a very sore point that was made, having guns out in the open. If I have answered that question wrongly, it's only that I haven't seen one in a shopping centre with his gun out lately. If I had, I think I probably would have done something about it. I didn't realize they were still doing it.

**Hon. Mr. MacBeth:** I don't recall when I have seen it. You say five years ago. I've seen it within the last five years. If you asked me to pinpoint when I couldn't tell you.

**Mr. Breagh:** Honestly, the last time I saw it was in Napanee of all places, again. We were home for a visit about a month ago. They have a little shopping centre there now. I looked in the shopping centre on the way to town and here's the Brink's truck and the guy standing there with a rifle on his hip.

**Mr. Erskine:** Oh, a rifle! Good God, I didn't even realize they were carrying rifles.

**Mr. Breagh:** Neither did I and that's what surprised me because those I have seen around Oshawa all have handguns.

**Mr. Erskine:** We made inquiries a few years ago when we ran into this situation. We can have someone look into it again and see what the situation is today.

**Mr. Singer:** If you watch downtown, I'm sure you'll see it.

**Mr. Breagh:** Under the registration part of this item, you have private investigators covered. I think in Ontario most of us have the illusion that private eyes aren't too many. The ones who are there cover mostly divorce cases, domestic arguments, a little industrial espionage and things like that. Is that a reasonable assumption for the public to make?

**Mr. Erskine:** Most of them are that. Some of them do work inside of companies on internal problems.

**Mr. Breagh:** What kind of investigations do they do there? How would you license them?

**Mr. Erskine:** Internal thefts. A large company might feel that there is an internal theft where some of their managerial staff are involved and they'll inject one of these people into the company to try to discover the theft or discover the people responsible.

**Mr. Breagh:** Would a private investigator in Ontario be likely to carry a gun aside from the fact that he might be a citizen who is licensed to carry a handgun? You'd have nothing to prevent him from doing so?

**Mr. Erskine:** He would have to have a permit to carry a firearm. It's not likely, just being a private investigator, that he would get a permit to carry one.

**Mr. Breagh:** But there would be nothing really to stop it either. You never hear of this stuff in Ontario. That's why I'm asking the questions.

**Mr. Erskine:** As far as I know, I don't know of any that have been issued with licences. It is usually the security guards who are carrying very large sums of money, like Brink's men, who are licensed to carry firearms.

**Mr. Breagh:** When you do that it seems awkward, because you said you really don't license the agency; you really license the individual who works for the agency. Do you



insist on any kind of training for them to carry one?

**Mr. Erskine:** As private investigators or security guards?

**Mr. Breagh:** Either way.

**Mr. Erskine:** Security guards are about the lowest paid people in our society today and most of the companies find great difficulty in getting employees. We check into their background but it is not as extensive a check as we might do on people, say, coming on the force or getting a job of—

**Mr. Breagh:** Do you have any kind of requirement that a security agency, like Brink's or whatever, would have to train the men who are armed?

**Mr. Erskine:** Not to my knowledge.

**Mr. Breagh:** Do you not think you should? You train the police officers who carry arms. I am not concerned about the farmer or hunter or whoever who goes out in the middle of a field and might have some expertise—we kind of assume that they do, though I don't know why—but about people who operate in an urban setting where there are lots of people and, in particular, somebody who runs an operation like a money collection agency such as Brink's where they are known to have large amounts of money. It also happens that those things get robbed. But they are carrying weapons in an urban setting where there are lots of people and where we'd be particularly careful in the training of a police officer working in that same setting. Should we not at least insist, if we are going to allow them to carry weapons, that they have some kind of training on the use of weapons, when to fire and how to fire and things like that?

**Hon. Mr. MacBeth:** First of all, I think the number of those who carry those weapons should be kept very small and, yes, I think they should have some training.

**Mr. Breagh:** But they don't have any now?

**Mr. Erskine:** I know the answer to that, sir. I mentioned a few minutes ago I was pretty hot about the fact that one of these men had his gun out in his hand just a few years ago. In fact, my wife and I were walking down the street and he put his arm back, like this, to stop us going by and the gun ended up on my wife's breast. I looked into it at the time and we warned them to stop

having their guns out in the open. I found out at that time that Brink's training of their men in handling of firearms was far greater than given to any of the police departments at that time in Ontario. Whether they are still giving that same training, I don't know.

**Mr. Breagh:** I would assume that a responsible company would train their employees, obviously for reasons of compensation if nothing else. But I'm rather concerned that you don't insist on it, that you don't lay that down. What one company might do does not necessarily mean that another one does. I seem to recall some men—I think they were Brink's, but I'm not sure—using an open holster. I would think frankly that if you moved to have the police officers in Ontario going around with open holsters there would be a reasonable outcry about it. There is no restriction on that.

**Mr. Kennedy:** Could I ask a question pertaining to that? I don't know if the Brink's guards are quite comparable to the OPP. Brink's guards are at work, you might say, when they are transferring large sums of money from the truck to whatever, the bank, or vice versa. We were always trained to believe that there are the quick and the dead. When this is going on, it is subject to a robbery. If they are as well trained as described, wouldn't it be a warranted thing that they should be at the ready, transfer the funds, and when it is over with put the weapons away?

If we are going to have Brink's guards, and their weapons are so secure that they can't get them themselves, then it could be all over, with them on the outside looking in, or injured or wounded or something like that. There must be a balance here somewhere. It seems to me when they're moving large sums of money that this is a security operation. I know some of it takes place in crowded situations, and certainly civilians need to be protected. But if they are this well trained isn't it in order that they do have their weapons exposed? I don't know. If you have everybody there transferring funds and they have no weapons to protect them, why have them at all?

**Hon. Mr. MacBeth:** I don't know the answer to that, Mr. Chairman. These are the things I think we have to get down in regulations, if they're not already there. Some of them may be there. I think we've got to update these regulations in view of the multiplicity of these various services. I think Brink's record is pretty good but at the same time there are a lot of other agencies coming

into being, some who may have guns and some who may not carry guns. I think we've got to update these regulations and make everybody familiar with them.

**Mr. Kennedy:** Be a little more definitive as to who and how they may carry them.

**Hon. Mr. MacBeth:** They may prevent more crime by having their guns out. If somebody came around the corner with a gun by the time they got theirs out the damage would be done. I don't know, but I personally don't like to see guns drawn on the streets of the communities of this province.

**Mr. Breaugh:** I'm just making the point that a police officer in a situation like that would, I think, be discouraged from drawing his weapon. He certainly would be discouraged from firing it.

**Mr. Erskine:** I don't know, sir. I think if we were carrying the sums of money Brink's carry some days, we'd probably be carrying sawed-off shotguns in the open —

[9:45]

**Mr. Breaugh:** I want to put it on the record. I would really rue the day when somebody in Ontario decides that prevention of a bank robbery is worthy of starting up gun battles in shopping plazas.

**Mr. Erskine:** That is probably a matter of semantics. I would think that maybe quite a few robberies have been prevented by the presence of those guns and maybe it has prevented quite a few people from being killed. It's difficult to say.

Your question about the gun being exposed in the holster again is just a matter of a person's own thoughts about it. It takes just as long to get the gun out of one of those open holsters. You've got to undo the snap that holds it down, the same as you have to undo the snap on a closed holster. I think some of our people feel they can get the gun out of the closed holster just as fast because you can undo it faster.

**Mr. Breaugh:** I've never really seen very many gun battles, I have to tell you that. I do know that in my own municipality a year or so ago there was a bank robbery and there was a police chase involved and there were shots fired, and I'll tell you it shook that community. I don't remember whether anybody who actually was involved in the bank robbery was shot or not, but I do know that one of the plants along the route of the chase got sprayed rather well and it shook them quite substantially.

Police officers firing their weapons in Ontario are not very common. In other jurisdictions, it's an extremely common event and everybody is carrying weapons and everybody is using them. I really would rue the day that we get to that point where we'd encourage that in any way.

Could I move to the next section, which really fascinates me, because it involves firearms and registration and the kind of things that go on? Perhaps it gets us into a federal area, except that this is actually the work that is done by the OPP. One of the things that bothered me some time ago and I took the time not only to say some things but to visit some people who fire and who sell firearms of all kinds. Could you define the terms for me once again of a restricted firearm, essentially a handgun, in Ontario?

**Mr. Erskine:** A handgun, a machine-gun and a sawed-off shotgun. There may be others in the Criminal Code but those are the main ones.

**Mr. Breaugh:** One of the things that shocked me in my own municipality was to go to a store that on the outside looked like a junkshop and, in fact, was. On the inside I found virtually every conceivable kind of weapon that I was familiar with, machine-guns, Bren guns and all that kind of stuff. I had a long talk with the owner of the store. He convinced me that there was some merit in allowing him to sell that kind of stuff. I maintained that I still can't see the reason why somebody would even want to have a machine-gun.

He showed me the procedure they have to go through to purchase one. He made the case that, because he was allowed to sell it legally, a number of those weapons that were procured illegally found their way into his hands and at least were registered and the future owners would be known by the police. I thought there was some sense in that argument. But it's beyond me why we still allow it in Ontario—and we not only allow it, we register it.

**Mr. Erskine:** It's a federal statute; it's under the Criminal Code. We in police work have mixed feelings about it. I think most of the feelings are that perhaps machine guns should be in some foundry somewhere. But there are collectors and there are some pretty valuable collector-type machine-guns, prototypes of some of the first machine-guns of particular models that have ever been made. Some of these run into a lot of money as collectors' items. You get mixed argument



about whether they should be around. You probably wandered into a licensed gun shop. He was licensed under the Criminal Code to handle firearms.

**Mr. Breaugh:** Yes. I'd be interested particularly in the minister's comments on this. Frankly I was satisfied with the kind of registration procedure that went through. It struck me that it was quite thorough and he explained all the red tape he had to go through in picking up the weapon, and the kind of searches done on people's back-grounds and things like that.

I found it disturbing to go into a little store which, on the outside, looked very harmless to me. He showed me a boxful of handguns, with a lock and all that. He showed me weapons he had on the wall with which you could start a small civil war; without question. He explained that they were all in operating order.

On the other side of the argument, he explained that he had had to go through security. He had had to install a security system in his store and put bars on the back door and all that kind of stuff. I kind of bought the argument that at least we now knew where those weapons were and at least we knew somebody else had them—as opposed to where he got them from—and that was better than not knowing where they had been the week before. I believed him on that. I talked with some police officers afterwards and they said there was some validity in that.

I wonder if the minister would care to make some comments? I found to my chagrin that it is not an uncommon operation to run all kinds of gun shops all over the place and there certainly are a number of them. I guess what bothered me most of all—this is strange for me to say—if it had been a store that said, "This is a gunsmith's store" and you went inside and they were all locked in cases—as they were in this store—and it seemed to be a very up-front operation, I'd have felt better about it. The store that I visited—and I've seen a number of them subsequently—had all the appearances of selling you rubber rafts and refrigerators and anything in between and did not appear to be a first-class operation. I admit this guy kept his books in order and showed them to me; he seemed to know the procedures extremely well and, I believe, followed them.

I wonder if the minister would care to address some remarks on that?

**Hon. Mr. MacBeth:** Mr. Chairman, as you know, the government's policy has been and continues to be in support of gun control legislation. Last fall I announced in the House that if the federal government didn't take steps in connection with gun control our government would. There are many legitimate uses for guns.

I personally am not a gun enthusiast nor am I a great hunter although I've done some hunting. I don't completely understand people who are enamoured of guns but certainly I can understand people who have them for hunting or target practice and farmers, of course, who have them as one of the almost necessary tools of their trade. As far as it concerns people who want to make a collection of guns, I have a hard time buying that because to my mind, many of the types of guns they collect have only one purpose and that's to kill people for the most part. Sure, they have them as collectors' items and they have no intention of using them in any way whatsoever but they are there. The fewer guns there are out in the hands of the public, I think the safer society we will have.

I say that, recognizing that there are some legitimate uses for guns. As far as gun collections are concerned, they say the integrity of the weapon is that its firing ability must still be there; I don't buy that argument personally. I think if they want to collect sub-machine-guns or some of these handguns the weapons should at least be treated in some way so they couldn't be put to use without a great deal of work being done on them.

I don't know whether or not that answers your question. We're waiting to see what regulations Ottawa produces. There has been some suggestion in the last few days that they would be producing those regulations for the public to comment on, and my ministry will be most interested in what those regulations say. We expect to have the responsibility of administering the gun control law when it comes out. We're concerned about the extent of it. We're concerned about how it might apply to the native peoples and how it might apply to farmers and legitimate hunters. We want to put them through as little inconvenience as possible.

Regarding the sale of weapons that aren't used for those purposes, such as handguns, we want the legislation to be as tough as possible so the sale of them is almost prohibited. I'm talking about the sale of these handguns that can be used for little purpose other than destruction or maiming of people.



I'm not so sure that I answered the question that you asked but if you can be more specific, I'll try to be more specific.

**Mr. Breaugh:** I appreciate your sincerity in making those remarks. In the previous vote, where we discussed the coroner's report, there's some interesting observations there, which surprised me in fact, about homicides and violent crimes that were investigated. For the most part they didn't use handguns; they used shotguns and rifles. Is the minister's view that that's because it's a little more difficult to get handguns in Ontario?

**Hon. Mr. MacBeth:** I think that's part of the answer, yes. The legislation deals with this, and it's one of the sore points for some people—the responsibility of keeping the arms, no matter what type they are, in secure places with the ammunition removed and also kept in a secure place. All you have to do is read one or two of these coroner's reports from Dr. Cotnam about the young people who get guns that have not been secured, or ammunition that hasn't been secured, and it seems to me that that argument is enough to overcome the objection of those people who don't want to take the extra steps or precautions to secure it. Certainly passions run high in the field, and I don't know how you can convince these people that taking the extra trouble to do these things is worth the number of lives it is sure to save throughout the province if they adhere to them.

**Mr. Breaugh:** Okay. Could we move to a slightly different field and that is certainly a related one, but I'm not sure how you deal with it? I'm reasonably well convinced that the kind of security system or check that you run on registration and the kind of limits that you put on people who retail handguns and even restricted weapons—although I had some difficulty accepting the restricted weapons part of it—seems okay. What is to stop somebody in Ontario from buying virtually any kind of a weapon through the mail?

**Hon. Mr. MacBeth:** I'd say: very little.

**Mr. Erskine:** Very little. They must apply for a permit to carry the gun from the place of purchase to their residence. They wouldn't get that permit to send it through the mail.

**Mr. Breaugh:** It struck me though that in Ontario if you are an honest law-abiding citizen, you put up with all the red tape, you withstand the security check, you get the permit to carry it from here to there, and you follow all the rules and regulations.

What is to stop somebody from buying weapons—rifles, shotguns, whatever—through the mails and having them delivered to their house? We would never know about it, would we?

**Hon. Mr. MacBeth:** If they don't want to abide by the law I guess there's nothing at all to get the—

**Mr. Erskine:** You don't have to register rifles and shotguns at the present time in Ontario, so you could order those through a mail order catalogue. For handguns you do have to have a permit or a registration. You have to register it. To transport it from your place of purchase to your place of residence you have to register it. So you are talking about two different types of guns.

If I might say, there is a lot said about guns and about where you can purchase them and so on, but those are not the guns that crimes are committed with. The person who is committing a crime is not likely to go and buy a gun in a gun shop, because he has to go to the police and get a permit to carry it from the gun shop to his home, before he takes delivery of it, before the man in the gun shop can give him delivery of the gun.

[10:00]

As far as deaths with rifles and shotguns go, that's because around a lot of homes in Ontario, particularly in hunting areas, the guns are out in the open more than handguns are, and likely in a lot of those homes they haven't got handguns. The types of crimes, I believe, in Dr. Cotnam's report are crimes of passion, where someone suddenly grabs a gun and threatens someone in the home and shoots him.

**Mr. Breaugh:** Is there anything that you could do as a minister that would prevent people from picking up any American magazine that had even vaguely to do with sporting life or whatever and ordering weapons through that?

**Mr. Erskine:** You can't order them through one of those magazines here in Ontario.

**Hon. Mr. MacBeth:** Because of them being imported into the country.

**Mr. Erskine:** You have to get them across the border. You'd have to have a carrying permit to carry it to your residence. You'd have to go through the laws under the Criminal Code that cover the purchase and registration of handguns.

**Mr. Breagh:** That's fine, if I'm nice and legal. If I read a magazine that was published south of the border that advertised that, say, a company in Alabama was selling all kinds of weaponry, and I've seen a few, what's to stop me from writing them a letter and sending them a cheque and receiving it in my mail? Anything?

**Mr. Erskine:** I think you'd run into trouble with customs, to start with, to get it across the border.

**Mr. Breagh:** If it was marked on the outside that it was a firearm, yes. If it wasn't marked on the outside that it was a firearm, nothing.

**Mr. Erskine:** I suppose you could if the company would go along with it.

**Mr. Breagh:** Yes, I'm sure that companies in Alabama or Texas or California or wherever wouldn't be all aware of Ontario laws and might not care a lot either. That thought disturbs me.

**Mr. Erskine:** You don't have to go that far to buy an illegal gun.

**Hon. Mr. MacBeth:** I think you can buy them right here in Ontario.

**Mr. Erskine:** There's no control over something that someone might have hidden somewhere that they want to sell. If you want to buy a gun, you don't have to go to Alabama to get it.

**Mr. Breagh:** No, that's true. I'll leave that until we see the federal legislation and what the response is.

**Hon. Mr. MacBeth:** It's a knotty problem. I guess I'm happy to have the federal government with the problem on its hands at the present time, but it's going to be back in our hands when the regulations come out.

**Mr. Breagh:** It's funny, but the last thing I want to say on this is that about a year ago I got involved in some rather unfortunate things with young children buying things out of this store, and I took the time to go and talk to the guy who was selling it. It seemed to me he made a case that he was trying to follow the law and was acting reasonably responsibly. I talked to several gun collectors. It struck me that they were following the law very faithfully, kept their weapons under lock and key, and did more than the law required. I talked to a lot of police officers about it. About half were in support of really restrictive laws about gun

control, and yet a lot of them were gun enthusiasts themselves. I didn't see much of a good answer anywhere in there.

**Ms. Sandeman:** I have just a couple of questions I'd like to ask in connection with two or three scattered statements in the annual report. First of all, I note the description of the five tactics and rescue units now located at London, Downsview, Kingston, North Bay and Thunder Bay, whose purpose is to deal effectively with confrontations between authorities and barricaded gunmen or snipers and hijackers, kidnapping, terrorism and hostage-taking. Is there really the volume of hostage-taking and hijacking in Ontario that would warrant five teams throughout the province of this kind of specialized expertise?

**Mr. Gartner:** It's because of the distances involved that we decided to have five.

**Ms. Sandeman:** Oh, I see.

**Mr. Gartner:** If they're at Kenora, or Thunder Bay, you can't get them down to Ottawa or a place like that in a hurry, and getting them there in a hurry is one of the main objectives.

**Ms. Sandeman:** If you have a hostage situation in a provincial jail, would they call in this team or would the guards in the jail not deal with that?

**Mr. Gartner:** If they asked for our assistance, we would go in.

**Ms. Sandeman:** It's that kind of thing that they're to deal with?

**Mr. Gartner:** That's right, yes.

**Ms. Sandeman:** Are these five units fully operational now?

**Mr. Gartner:** Yes, they are.

**Ms. Sandeman:** How busy have they been on these special duties?

**Mr. Gartner:** We were busy in the Kelly affair at North Bay.

**Ms. Sandeman:** Yes, no doubt.

**Mr. Gartner:** Although they weren't involved in his capture, there were many situations which they thought were abuilding and they took the proper action. They will have three teams in Kingston for the Olympics.

**Ms. Sandeman:** Yes, the second question I was going to ask you was about the planning for the Olympics. You've outlined the planning for the security of the Olympics at Kingston, and the comment was made that "policing of this event for seven weeks will be an arduous task involving extensive deployment of manpower." At the same time, you said you're going to ensure that the remainder of the province doesn't suffer as a result of the concentration of manpower in Kingston. Is there a budgetary item? I couldn't see one anywhere in the OPP vote. Is there something being budgeted in the estimates?

**Hon. Mr. MacBeth:** Mr. Chairman, we might get Assistant Commissioner Ken Grice up here. He's in the room. He's in charge of the Olympic security, and he could tell you a fair amount in connection with it. I think the budgetary item is a little over \$1 million; I suppose it goes in as salaries as such.

**Ms. Sandeman:** Oh, I see. So it doesn't show as one item?

**Hon. Mr. MacBeth:** It's mostly for police overtime and the moving of equipment.

**Ms. Sandeman:** Which vote would that be under, Mr. Minister?

**Hon. Mr. MacBeth:** Would you like Mr. Grice to answer?

**Ms. Sandeman:** Yes. Could I just ask you while he's coming up?

**Hon. Mr. MacBeth:** Get a microphone, Mr. Grice, and say what you can about the plans for the Olympic security. I think you can do it without breaching any of the confidences that I know are imposed on you.

**Mr. Grice:** We entered into the security programme about a year and a half ago and realizing what world conditions were, we felt it was necessary to provide a maximum amount of security. With that thought in mind, we got together with the RCMP, the Canadian Armed Forces and the city police in Kingston, Ottawa and Toronto, where the events are taking place.

Quite extensive planning has gone into this. About a month and a half ago we entered into an exercise called Mount Olympus where we simulated what may be termed as occurrences that might happen, to test our communications and our command structure. This was a 96-hour pro-

gramme involving not only Ontario but also Quebec, the customs people, the armed forces and the various police forces involved.

The OPP are supplying 356 men for the operation, and what we have done is cancel all leaves so that the rest of the province won't be suffering. We'll have as many people, or in some instances more people, on the road during that time. We'll have more people on the road because it may be that we'll have to draw on this coverage, if you will, in the case of an emergency, in Kingston, Toronto or Ottawa—or Kenora.

**Mr. Breaugh:** I wonder if you could give us some kind of a ball park figure of the cost?

**Mr. Grice:** Yes, slightly over \$1 million.

**Mr. Breaugh:** And who is going to bear that cost? Ontario?

**Mr. Grice:** At this point, Ontario is. There has been some suggestion that COJO will be paying part of it. They are paying some of the costs, but at this point I don't know whether they will be paying as far as the \$1,099,000 is concerned. They've indicated that they will, but we have no definite commitment on their part.

**Mr. Breaugh:** Okay. Could I ask the minister when Ontario agreed to fork over this kind of money?

**Hon. Mr. MacBeth:** I don't know when we agreed. It's our responsibility to look after the safety of people when they're in this province. I suppose when the federal government undertook that some of the games would be held at Kingston—and I don't know who all was involved in deciding that—I suppose that's when we made the moral commitment to look after the safety of anybody who happened to come here for those games.

**Mr. Russell,** you may be able to be more specific. Was there at any time a discussion in connection with police costs, as to whether we would be a host at Kingston or not?

**Mr. Russell:** No, actually—I don't know how I can put this; I agree with Commissioner Grice. At a number of meetings we've been to in Montreal, we have talked with the COJO representatives about the cost of this being incurred by Ontario. They say that Ottawa is picking up the tab for the armed forces, which is quite extensive. How many are they in for, Ken?



**Mr. Grice:** The number of personnel?

**Mr. Russell:** Number of personnel.

**Mr. Grice:** About 12,000.

**Mr. Russell:** Twelve thousand. They are picking up the tab for the use of the armed forces both in Quebec and in Ontario and right now we expect to pay the \$1 million-odd for the security here.

**Mr. Breagh:** So this is one of those things we kind of backed into? We didn't make an official representation, in a direct way, to sponsor the Olympics yet I think at least some of the municipalities did make proposals to COJO to host some of the events. The province, of course, in the normal course of providing security to its own people, now has to pick up the tab for this.

Could I ask a couple of questions about the type of operation you run? I understand it is already under way, or it starts tomorrow, in terms of border security. Since this really is a pretty new operation in Ontario—we have never really had a closed border or made that much of an effort to patrol the border—and I haven't heard of any great new onslaught of people coming on staff, is it possible for the OPP to participate on a broad scale in this border security thing?

**Mr. Grice:** We're not involved in that at all.

**Mr. Breagh:** You're not doing that at all?

**Mr. Grice:** No, sir.

**Mr. Breagh:** Okay. Reference was made by the minister in the House today that you would have various patrol craft and things like that in the Kingston area. I hate to say it but virtually all along that shore line and even out into the lake a good deal there have to be thousands of small craft going from one side of the river to the other. Do we have patrol craft? Will it be the OPP that does that or the navy or who?

**Mr. Grice:** We have 12 OPP patrol craft which are only concerned with the race road itself—the course and the approaches, the seven miles from Kingston to the course. The Canadian armed forces are taking certain precautions with respect to the border area, particularly in the Kingston area. What they are concerned about, naturally, would be violation of the periphery of the race.

What extensive precautions, if any, are being taken with respect to the unguarded border from coast to coast I don't know and

are concerned about, naturally, would be futile.

**Mr. Breagh:** Yes. I would guess that, for example, trying to guard the St. Lawrence all the way from the Quebec border to the Kingston area would be an impossible task for the OPP to undertake because they don't have that kind of patrol craft. You'd have to have hundreds of small craft out and you don't have them.

**Mr. Grice:** The thing is, what is it that we are guarding against? We're guarding against a very small group of people who might be coming here to disrupt the Olympics. To set up a border guard mechanism involving thousands and thousands of our people would be impossible. It isn't as if they are moving brigades and heavy equipment across here.

**Mr. Singer:** You're not worried about an American invasion?

**Mr. Grice:** Not for the past 150 years anyway.

**Mr. Breagh:** Why should they invade the place when they own it?

**Ms. Sandeman:** Unless somebody else wanted to get in on the Olympic discussion —

**Mr. Chairman:** Anybody else want to get in on the Olympic discussion?

**Hon. Mr. MacBeth:** You asked for the figure. It's about \$1 million as I understand it.

**Mr. Breagh:** So it's roughly \$1 million and how many men — did you say 350-odd men would be involved?

**Mr. Grice:** Three hundred and fifty-six.

**Hon. Mr. MacBeth:** This is mainly overtime, as I understand it, by existing personnel; is that right?

**Mr. Grice:** Yes, they are working seven days a week down there, without a day off.

**Mr. Breagh:** Those people are going to be a little tired.

**Mr. Grice:** They will be well paid for it.

**Mr. B. Newman:** For what period of time are they going to be involved in this?

**Mr. Erskine:** Seven weeks. We have committed them for seven weeks starting tomorrow.

[10:15]

**Mr. B. Newman:** And they'll complete the operation about two weeks after the games?

**Mr. Erskine:** We hope within one week after the games.

**Mr. B. Newman:** There's no way you can control everything and police everything anyway. You've got an influx of people into Toronto for the CNE every year. You've got an influx at the border points all the time. Back in my own community they come to Freedom Festival all the time. We've got craft in the Detroit River. There's never been anything to be worried about.

**Mr. Erskine:** We have three specific duties down there: The security for Olympic Harbour, the security for Olympic Village, where the athletes will be staying, and to escort the racing craft out to the racing site.

**Ms. Sandeman:** I still didn't get an answer to my original question—perhaps I wasn't listening enough. Is there anywhere in the budget that that \$1 million already shows up, or are we going to be looking at supplementary estimates for salaries before the year is out? I couldn't see an increase of \$1 million on salaries from last year, for instance.

**Mr. Edwards:** The \$1 million is spread throughout the various items of the OPP wherever it may be incurred. For instance, I believe the communications equipment is in communications. The bulk of it would be in law enforcement—uniform. That would deal with the salaries of most of the men that are involved in this operation.

**Ms. Sandeman:** If I may comment on that then, there's a \$4-million increase from last year on that, so that \$1 million is maybe a part of that.

**Mr. Edwards:** A good part of it.

**Ms. Sandeman:** Yes, I see. The other thing I was going to ask about was that these fellows are working seven days a week and then have a day off, I guess. There's going to come a time when they have to have their regular holidays. Will that not put a burden on the staffing levels for the next few months when suddenly all these people have to go and relax maybe in September?

**Mr. Erskine:** Normally, we allow one-fifth of our force off on holidays at one time. In order to accommodate these people, some of them have taken holidays before the Olympics; others will take it after the Olympics, at which time they'll allow one-quarter off.

**Ms. Sandeman:** Oh, I see.

**Mr. Erskine:** We think we can meet the objective in that way.

**Ms. Sandeman:** I guess there will be some definite advantages for these fellows. Even working seven days a week, they're going to have a water-side view of the events.

How have you chosen the people?

**Mr. Erskine:** They're all volunteers, but for some of the senior NCOs.

**Ms. Sandeman:** It would be, I would think, quite a popular assignment.

**Mr. Erskine:** I don't know. To guard Olympic Village for seven weeks, you don't see very much there. We hope to change them around to have a better outlook for them.

**Ms. Sandeman:** I think that would be only fair. One day watching the women's showers at the Olympic Village and the next day watching the races and a little bit of everything.

The other thing I wanted to ask about was under staff services: It's just something I'm afraid I don't understand and I want clarification. The last paragraph on page 27 under staff services talks about records. It says: "The branch also functions as the Ontario police forces' suspension control centre." Is that drivers' licence suspension you're talking about?

**Mr. Erskine:** That's right, yes.

**Ms. Sandeman:** You've got 75,000 files active, and 136,000 records entered. What's a hit?

**Mr. Erskine:** That's when they come up with an identification on a wanted person or a wanted car or something that's in the CPIC system. Actually this is describing the whole CPIC system.

**Ms. Sandeman:** Yes, I understand the CPIC system. That's when you pull me over for doing 35 mph and you find that my car is stolen, because you put the licence number through CPIC, or it's a possession of stolen vehicle or whatever. I've got you. It's a two-birds-with-one-stone operation.

**Mr. Erskine:** That's right.

**Mr. Germa:** At the risk of being repetitious, I'd like to go back to what Mr. Breaugh was talking about regarding the availability of weapons. I address my remarks to the minister and the minister will know that I communicated with him in March regarding a specific situation which

developed in the city of Sudbury regarding the sale of obsolete police revolvers. You will recall that on account of a direction from the police commission that the police would hereafter carry .38 revolvers which threw into surplus approximately 120 .32 calibre four-inch barrel revolvers. The local Sudbury police commission decided to sell these revolvers off to the general public at a price of \$20 for a scratched revolver and \$25 for a revolver in mint condition, which I described as "Saturday night jolly jug revolvers."

I wrote to the minister in March, and I waited and I waited and I waited until May 21 I finally got a response from the minister. Lo and behold, he did inform me that he frowned on the action of the police commission and he had even had communication with Mr. Allmand, the federal Solicitor General, and both of these people, the Ontario Solicitor General and the federal Solicitor General, frowned on the practice of police commissions selling surplus police revolvers, .32 calibre, which are just a dandy size for putting in a windbreaker pocket. They have no historic value as far as I am concerned. I think they are not that much of a historical item that they should be sold, even to those people who have collections, but the minister did say in his response to me on May 21 that the revolvers would not be sold, had not been sold and would not be sold. He was quite explicit in the letter.

Lo and behold, in communication with the deputy chief in the city of Sudbury and with the chairman of the police commission in the city of Sudbury, we find that that message has not been communicated to these two people. In the interval, I received flak from the chief, Chief Shilladay, in the city of Sudbury. He criticized me for butting my nose into business which he didn't think was pertinent to me. I don't profess to understand the working of a policeman's mind, and I didn't understand the workings of the chief's mind in Sudbury, when it was upon his recommendation that the police commission passed a motion to sell off 120 .32 calibre snub-nosed revolvers.

I am wondering, Mr. Minister, what further action are you taking in this regard? Are you going to ensure that the message as relayed to me gets back to these people who are in control of these revolvers? I think it is not proper just to deal with this problem on an individual basis, because there are probably several hundred police commissions in the Province of Ontario.

If the police commission of Sudbury is of a mind to not be concerned about selling off 120 revolvers—for the miserable sum of \$3,700, by the way—and when I subtract the cost of having these revolvers priced by an expert—I'm sure he charged on a per revolver basis, I don't know how much he would charge; let's say he charged \$5 to evaluate whether they were a \$20 revolver or whether they were a \$25 revolver—plus all the paper work they went through; there were thousands of applicants came down to the police station, presumably everybody filling out forms and papers, presumably their criminal record is going to be scanned by some department, and even if there was financial gain to the Sudbury police commission—and I even doubt if there is going to be any financial gain—why does the Solicitor General not have a firm policy and enunciate it quite clearly to police commissions and police chiefs across this province that under no circumstances are revolvers to be put out to the public in this mass quantity?

A policeman's gun is designed for one purpose only—for bringing a man down; that is exactly what it was built for—and I see no benefit to society in allowing this thing to continue where police commissions get off on tangents like this, for the sake of saving \$3,700 in their mind, or are even allowed to contemplate putting these revolvers into the hands of the public. I am also wondering what is wrong with the training of the police forces of Ontario that a chief of police would recommend to this police commission that these guns should be sold to the general public? I would ask the minister to bring me up to date on what he is going to do to make certain that this doesn't happen in the city of Sudbury or in any other municipality in the Province of Ontario.

**Hon. Mr. MacBeth:** Mr. Chairman, Mr. Germa referred to a letter he sent me in March but if he will recall the courtesy of that letter, I believe it was an open letter that reached the newspapers before it reached me. I replied to the newspaper that called me before I had received the letter and made an open reply—which I think Mr. Germa acknowledges he read in the newspaper—that I looked with dis-favour upon it.

He asks what we are going to do in the future. As he knows, on things of that nature the police commissions don't take their orders from me as Solicitor General. Our attitude has been that if the public could get these guns at other sources, as they could—and I am only



supposing this—they might as well sell these guns, because anybody who wanted to buy this type of gun probably could obtain one pretty easily from some other place anyway. Despite that, I don't think that's a proper position for a police commission to take.

I don't like to see the proliferation of guns of any sort, as I have said earlier; but until we have gun control regulations, as we are hoping to have very shortly or in the not too distant future, I think there is very little that we can do about it in a practical way other than to discourage them—and I have succeeded in doing that. But I have no power to direct them that they shan't do so and so.

**Mr. Germa:** Mr. Minister, how can you write to me and tell me that the guns will not be sold? It was very explicit.

**Hon. Mr. MacBeth:** I understand that was the commitment they gave. I'll have to follow that up if you say they are not keeping that commitment. I haven't got before me the source of that statement or who it came from, but the information that came back to me was that the guns would not be sold. So I am quite happy to follow up your suggestion that they are selling them.

**Mr. Germa:** No, Mr. Minister, I am not suggesting that they are selling them. What I am concerned about is they are not aware of your opinion, other than your public statement—and I recall your public statement of two months ago—where you did say, "I have no power to intervene." You made the same statement you made just now. Then I got this letter and I was at peace with myself; to quote the letter verbatim, you say to me that "the guns have not been sold and will not be sold." How can you assure me that they will not be sold?

**Hon. Mr. MacBeth:** Other than saying that I accept some people's undertaking for some things, no, I can't assure you. When you ask where is my power to enforce that kind of statement, I am suggesting that I don't have that power.

**Mr. Germa:** Do you not think you should take under consideration giving yourself that power? If you can't control them in the private sector—and I understand that problem too; it is so widely dispersed—as the chief law officer in Ontario you should be able to control the police forces in the province to some degree. I am not asking you to control every hardware store.

**Hon. Mr. MacBeth:** From an example point of view, I don't like to see a police commission

doing that sort of thing. But from a practical point of view, what is to be gained by telling a police commission not to do this if the public can obtain guns—perhaps without the kind of knowledge and registration that the police go through—from any other source, as Mr. Braugh was suggesting earlier this evening?

**Mr. Germa:** What I am suggesting, Mr. Minister, is that a gun for \$20 is a great enticement to some teenager—every teenager seems to have a loose \$20 bill these days—whereas if you go out and buy a regular revolver from a store, there's a financial inhibition. But what I am talking about is selling these at fire-sale prices, and especially when it's a municipal or governmental agency that is offending the attitude of the minister. I congratulated you publicly for intervening, as I thought you had intervened, and saying no, you would not sell.

**Hon. Mr. MacBeth:** I understand that is a commitment they had given, and I would expect them to live up to it, but I will follow it up.

**Mr. Germa:** According to the information I have, the chairman of the police commission is not officially aware of your views; in communicating with the press, he says, "I haven't heard from the Solicitor General in this regard." Presumably he is of a mind that his motion, which was passed several months ago, still stands and that the revolvers will be sold.

**Mr. Singer:** I thought they had been sold.

**Mr. Germa:** According to the Solicitor General, as of May 21 they had not been sold and would not be sold. I wish the minister would get to the bottom of it and perhaps inform me at a later date whether any of those guns did get into the public's hands or whether they will not be put into the hands of the public.

**Hon. Mr. MacBeth:** We will do so, sir.

**Mr. Chairman:** Mr. Singer.

**Mr. Singer:** It is 10:27 p.m., and I have got maybe half an hour's worth of stuff, Mr. Chairman; I wonder, if you looked at the clock, whether you might find it to be 10:30 p.m.

**Mr. Chairman:** Yes, it is very close to 10:30 p.m. We will meet again on Wednesday.

**Mr. Singer:** Wednesday?

**Mr. Breagh:** Mr. Chairman, do you have any idea of what estimates we will be doing on Wednesday?

**Mr. Chairman:** I would rather you didn't ask that question. I trust tomorrow will clarify what we will be doing on Wednesday.

**Mr. Breagh:** I take it then that motion will be put before the House tomorrow?

**Mr. Chairman:** I trust it will. I don't know. It is in the hands of the government at the moment.

**Mr. Breagh:** If he knocks on the door, they might let him in.

The committee adjourned at 10:28 p.m.

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 Germa, M. C. (Sudbury NDP)  
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 Kennedy, R. D. (Mississauga South PC)  
 Lawlor, P. D.; Chairman (Lakeshore NDP)  
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 Newman, B. (Windsor-Walkerville L)  
 Sandeman, G. (Peterborough NDP)  
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### Ministry of the Solicitor General officials taking part:

Cotnam, Dr. H. B., Chief Coroner  
 Edwards, L. H., Internal Auditor  
 Erskine, J. L., Deputy Commissioner, Services, Ontario Provincial Police  
 Gartner, L. R., Deputy Commissioner, Operations, Ontario Provincial Police  
 Grice, K. W., Assistant Commissioner, Special Services Division, Ontario Provincial Police  
 Hillsdon Smith, Dr. J., Director of Pathology  
 Russell, A. A., Deputy Minister













Government  
Publications

# Legislature of Ontario Debates

**SUPPLY COMMITTEE—1**

**ESTIMATES, MINISTRY OF  
AGRICULTURE AND FOOD**

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

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**Wednesday, June 16, 1976**

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Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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## LEGISLATURE OF ONTARIO

### SUPPLY COMMITTEE

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WEDNESDAY, JUNE 16, 1976

The committee met at 8:10 p.m. in committee room No. 1.

#### ESTIMATES, MINISTRY OF AGRICULTURE AND FOOD (continued)

On vote 1702:

**Mr. Deputy Chairman:** Since we now have a quorum we might as well start. We're on vote 1702, item 4, and I believe Mr. McKessock was speaking at the time we adjourned.

**Mr. McKessock:** I had mentioned something about low-interest-rate loans to farmers when we were talking about the farm improvement loans. I'm not sure whether I asked you whether you'd consider a low-interest-rate loan to farmers, something like the farm improvement loan which isn't readily available right now? I think a low-interest-rate loan is better than subsidies or anything else because the person still has to use initiative to carry on. Would you consider giving a low-interest-rate loan, through some bank guarantee, up to a maximum, say, of \$30,000 or something like that, at eight per cent?

**Hon. W. Newman:** The programme we have in place now, the young farmers' loan, is prime plus one but we have other programmes, too, within the ministry. We have the capital grants programme which is a straight grant. We have the tile drainage which is six per cent. What you're asking me is we are prepared to extend the loan programme because perhaps our credit corporation loans are drying up—I shouldn't say drying up but not as readily available.

**Mr. McKessock:** Yes, farm improvement loans. A loan similar to that which you could borrow for capital expenditures at an eight per cent interest rate.

**Hon. W. Newman:** I don't know how long ago it was, two or three years, when we were talking about the junior farmer loan pro-

gramme that we had and the Farm Credit Corp. came in. Basically, what is their rate now? Eight per cent?

**Mr. Lantz:** The Farm Credit Corp.? I think it's over eight per cent now. I think it runs at about 8½ or 8¾ at the moment.

**Mr. McKessock:** That is a mortgage loan. If there was a loan available for farmers—not just young farmers but any farmer—at eight per cent I think this would be a good thing for the farmers in Ontario.

**Hon. W. Newman:** The limitations of our budget make it rather awkward for us. The thing we're looking at—I think you were talking the other night about the milk problem if I remember correctly. The Farm Credit Corp. loan is lower than ours and until we get firmed up on the proposals from Ottawa—that's one part of the Farm Credit Corp.—they're talking about extending them now. They always did it on an individual basis but they are talking about doing it on a more liberal, if I may use that word, basis.

**Mr. Riddell:** Good word. I'm surprised at you, after yesterday's debate.

**Hon. W. Newman:** Not at all. It was a very interesting debate.

**Mr. McKessock:** I have a resolution here which you've probably received pertaining to the tile drainage loan. It's put out by the township of Amaranth and they're trying to get support from all townships across Ontario. I'll read a part of it in case you have forgotten it:

Whereas the Minister of Agriculture and Food has increased the interest rate on tile drainage debentures from four to six per cent; and whereas the Minister of Agriculture and Food has restricted the amount of money available to any rural municipality for tile drainage loans; therefore be it resolved that the council of the corporation of the township of Amaranth request the Minister of Agriculture and Food to remove the restrictions on money available for tile drainage loans as tile drainage



of farmland is necessary for the economic production of agricultural products. And be it further resolved that the township of Amaranth seek endorsement and support of this resolution from all rural municipalities and municipal councils of the Province of Ontario.

I think it was mentioned the other night—

**Mr. Johnson:** Mr. Chairman, on a point of order, I'd like to bring to the attention of the member for Grey the fact that I brought this to the attention of the minister about four or five weeks ago. This is repetitious.

**Mr. Riddell:** That wasn't done in this room.

**Hon. W. Newman:** I believe it was discussed the other night. I think we'll check Hansard. It's all right; I don't mind answering questions.

[8:15]

**Mr. McKessock:** I understand it was raised from your first figure of \$10 million to \$13 million. How is this extra \$3 million going to be distributed to the municipalities?

**Hon. W. Newman:** It's \$3.8 million. It was \$13 million in the additional estimates. I think the basic idea of the extra \$3.8 million is to make sure those farmers who had tiles on order or in the field were able to get the tiles into the ground. Once the announcement was made, of course, there was a tremendous rush for additional applications. Our engineers are now in the field, trying to decide exactly how much work can actually be done this year with the equipment that is available in the province dollar-wise.

The \$3.8 million will be allocated, not necessarily on a per township basis on a pro-rata basis, because there are some municipalities which have come in with some fantastically high figures since the announcement was made, because everybody rushed to get applications in. It will be done on a needs basis. Where we feel there are farmers who have a problem, maybe had ordered their tile, had commitments, then that's where it will be used first.

**Mr. McKessock:** Will you try to accommodate everybody or all machines to capacity for this year?

**Hon. W. Newman:** At the present time, I think there are \$22 million or \$23 million worth of applications. That doesn't mean there could be \$22 million or \$23 million worth of work done this year with the equip-

ment that is available to put it into the ground. That's what our engineers are doing out in the field now, trying to figure out exactly what work can be done and where it can be done and where the equipment is. It is just being pulled altogether right now. I'd like to sit down with our staff myself and discuss this. It's been rather difficult in the last few days, but I intend to as soon as we get a chance to.

**Mr. McKessock:** You hope to cover all the tile that can go in the ground this year?

**Hon. W. Newman:** No, no. Now let me make it very clear—we may not be able to cover all that can go in the ground. We're concerned about the commitments that were made last fall, because we cleaned everything up until the end of March that we had in our hands. A lot of work was done last fall and was completed this spring, therefore the application did not get to the ministry before the end of our fiscal year. Everything that was in our hands before the end of the fiscal year, March 31, was cleaned up. It is very awkward to estimate, because a lot of farmers were doing work last fall, they've finished up now, so they will have a total bill, and we are trying to look at it from a very realistic point of view.

There will be many people who made applications after April 1 who will not get their loans this year, and I would be less than honest to tell you they will get them. We have to look at the individual problems and that is what takes the time. If we had all the money in the world, which we don't have, it would be much simpler, but we have to look at it on a basis of those in need.

**Mr. McKessock:** I've talked to some farmers who are concerned about the fact that it might be based over how much the municipality has received in other years. With the price of land increasing in the last few years they told me that they will be wanting to borrow money to drain land now that wasn't feasible when land was cheaper, but now it makes sense to drain it.

**Hon. W. Newman:** Well, it was all done on a pro rata basis on the original \$13 million. If your municipality had, say \$50,000 last year, on a pro-rata basis it might have worked out to \$35,000 or \$40,000 for this year. It was done on a pro-rata basis over the whole province, except that we added some money to the unorganized areas which were included for the first time this year, where they can use it. Of course, it will be

up to the municipality. They can go up to 75 per cent of the total installation costs or they can go much lower. How the municipality wants to allocate it will have some bearing on the original allocation.

**Mr. McKessock:** The item there—Ontario Junior Farmers Establishment Loan Corp. deficit, \$1,100,000—is this loans that have been reneged on?

**Mr. Sewell:** No. It's basically that these mortgage loans were issued mostly at five per cent, some at four per cent. These are the difference between the cost of the money to the Ontario government, mainly the borrowing rate, round about 10 per cent, and the income received from those mortgage loans.

**Mr. R. G. Bennett:** The loans still outstanding.

**Mr. Sewell:** For the loans still outstanding. Some of these still have 15 or 20 years to run.

**Mr. McKessock:** That \$1,100,000 is the difference between the four or five per cent and what you have to pay for them?

**Mr. Sewell:** Yes. That's right.

**Mr. Angus:** Mr. Chairman, I'd like to start by finding out a little more about the amount of \$455,000 for agricultural development in northern Ontario.

**Hon. W. Newman:** May I assure you that I'm aware there is a lot of agricultural production in northern Ontario?

**Mr. Angus:** You couldn't help but be aware of that.

**Mr. MacDonald:** We're taking that for granted.

**Hon. W. Newman:** I've been up there, so I know.

**Mr. Angus:** Right, and the members have mentioned that you have been up there too.

**Mr. Bain:** You had better educate the member for Lambton.

**Hon. W. Newman:** I think he's well educated in the agriculture industry today, but I'm well aware of the fact.

**Mr. Angus:** What I'd like to find out, Mr. Minister, is how many regions there are and, if there are more than one, whether each region is allotted a certain

amount or whether, depending on decisions by the individual groups within each region, they can draw depending on their circumstances?

**Hon. W. Newman:** I don't know exactly how many there are—I can get that from my staff—but the amount has doubled from \$215,000 to \$455,000. Local committees of agricultural people decide how the whole allocation up there will be spent. As to how many districts are involved, I'd have to ask the specific number. How many do we have involved, Mr. Bennett?

**Mr. R. G. Bennett:** I don't know the number, but this would apply to everything that's designated as a district as against an organized county in southern Ontario.

**Mr. Angus:** So there would be a group for each district?

**Mr. R. G. Bennett:** And that includes Manitoulin Island.

**Mr. Angus:** Is there a specific amount out of this \$455,000 that's allocated to each district, or do they draw from a pool?

**Hon. W. Newman:** I think so much money is allocated per district, but basically they decide how they are going to spend it, whether it is a subsidy to haul fertilizer, lime or whatever, or any particular reason they want to use it for. They may want to help subsidize the A1 units in which we recently got involved directly and increased that because they were losing money. Basically, as I say, they have the say as to where that money should go.

**Mr. Angus:** Could you tell me how much has been allotted to the Thunder Bay district, for instance?

**Hon. W. Newman:** I'd have to ask one of the staff.

**Mr. Angus:** I'd appreciate that. While they are looking that up, perhaps I could just follow this through. What happens in a situation where, because of the climatic conditions or what have you, the amount comes nowhere near meeting the needs of that particular region? Is there a contingency plan to extract it from an area that has no problems and has no need to draw on the fund or, under your various pieces of legislation and regulations, can you supplement that in terms of specific hardship?

**Hon. W. Newman:** No, the initial allocation goes to each district in total. I think what you are talking about is the extremely dry conditions they've been faced with up there. I had a report, and I gather it's raining up there today. Depending on a lot of things down here in the Legislature, I would hope that I could go up and have a first-hand look at the situation. I can't guarantee you that it is going to be within the next week, but certainly I'd like to have a look at the situation.

I know the farmers are concerned. I know they've had a problem. Fortunately, we had some rain last weekend. Talking about cutting the hay, in a good many cases perhaps there could be a good second cutting of hay if they get the necessary rain. I know much of it right now has headed out, and once it has headed out, it's past the point of no return; really, it should be cutting shorter or clipped, whatever has to be done with it. I also realize that some of the hay fields are being used for pasture. I'd like to have a look at the overall situation there.

There is hay in Manitoba, as we know, which is about \$25 a ton in the field, and I think the transportation cost is about \$50 a ton. We would want to talk to the federal people, as we have done in the past, regarding any assistance that might be available from them. But, as I say, I had a report last week and I expect an updated report on it shortly, but I did get a report today that it was raining up there. I don't know how much rain they've had or what the effects could be. We've dealt with emergency situations before, but it has to be done by special order in council. The routine we have to go through, in view of our restraints, means it has to go through Management Board to be dealt with.

**Mr. Angus:** Okay. Do we have the figures?

**Mr. Lantz:** Yes, for Thunder Bay last year it was \$43,722.

That's based on the \$420,000 expenditure. I might add that the formula that is used for each district is based on the farm land in the district.

**Mr. Angus:** The acreage?

**Mr. Lantz:** The acreage, the number of livestock, and so on—so this is the formula that is used to prorate the money from district to district. Then each district, of course, has an autonomous committee that decides

what they want to do. One district may include assistance to purchase livestock and another one fertilizer, and another one possibly land clearing—and they don't all do the same thing. They decide on what they should do by way of priority. So, this is how the money is actually allocated.

**Mr. Angus:** Okay. I would like to follow up on the Thunder Bay situation. The remarks that you made in the House on Monday in reply to my question kind of floored me. I was at the meeting that the agricultural reps had with the farmers. The indication I had then—and I have since double-checked it—was that it was obvious to all those people at the meeting, plus a number of those who weren't there, that there were problem conditions in terms of the height of the hay. The comments were: "Even if we had 2 in. of rain over the next week, we would still be in trouble." As I say, I have since double-checked that.

Can you tell me whether the decision was recommended to you by your immediate staff, or whether the decision to hold off until we see what the results of the first crop came from the ag reps in Thunder Bay, or was it kind of a joint decision by the three levels?

**Hon. W. Newman:** No, it was staff up there. They sent me a report—which I don't have with me right at this moment—indicating the situation was serious at that time, although we did find out it rained last weekend.

There are many factors involved in the agricultural field, depending on what kind of crops you have, whether you are on the high land or on the low land—and many other factors could be involved. There are certain crops you can grow up there in the way of legumes. You may be talking about a single cut of timothy or some of the more wild sort of hay lands.

There are so many factors involved with the situation up in that particular area. If it is a good hay crop, whether it is brome grass—I guess they can grow brome up there—or orchard, or whatever, it may be that if an early cut came off, with the proper rains, soil conditions and fertilizers, and with good management, you are going to often get an excellent second cut of hay.

What I am saying is that even now, with the proper weather conditions, you have a very good possibility of getting a good second cut of hay.

Don't forget we also have problems in parts of eastern Ontario. I was over in Stratford yesterday before I came back to the



House. They have some dry conditions there now. It is not critical, but they are heading into a very difficult situation. I don't know whether they are getting rain today or not. But we do have a lot of dry pockets in the Province of Ontario. Of course, in the mid-western US some of the states have a problem. So, it is just not localized in your particular area; it is in many areas—and we are concerned about it.

I would like to, if I can get a chance, to take a first-hand look at it and meet with the farmers up there.

But, in the report that came from my staff up there they took the attitude of, "Look, it is still early; wait and see what happens." A report then came through within 24 hours that they had had some rain, and since then you have had more rain.

**Mr. Angus:** I have talked with members of the cattlemen's association and the soil and crop people since our discussions on Monday. I gather that they figure they might have got an inch—not an inch of rain but an inch of growth only in terms of the hay in the fields. I'll admit I am not thoroughly familiar with the farming community; I will make no bones about that. I haven't worked on a farm or lived on a farm or been associated with farming, so I am learning. I have to keep going back and asking questions and getting the answers and double-checking things.

[8:30]

You have talked about a second crop, but in Thunder Bay, because of the kind of season we have, the people I have talked to remember very few second crops. Any that come through can't remain on the field to dry. They have to be cut and hauled off immediately because of the extremely heavy dew conditions and the cold weather that attacks northwestern Ontario almost in the last week of August. Labour Day up there is a dismal time of the year. It is guaranteed to rain on the first Monday in September in one out of every 20 years.

That's a situation which I think is causing them concern as well because they really don't believe that if they would allow their fields to grow—if they could allow them to grow—they would get a second crop. Their feeling is they are going to have to turn those existing fields to pasture in order to make it through the summer. The Cattlemen's Association polled its members on Monday night and came up with two comments. One was that they did need hay now. In their minds there was no question that they needed hay now and they were able to arrive at a figure of approximately 30,000 tons which is what they felt was required. I should

point out that was done on the basis of the \$25 a ton figure which you provided me in the House.

The soil and crop people met with your agricultural reps yesterday morning. While they were not able to come up with a figure—they are still in the process of polling their membership—the decision reached at the least by the chairman of the soil and crop group and your reps was that whatever the amount of hay needed, a quantity was required now.

The third point I expressed on Monday was the fact that there is a drought in the American midwest. Logically, if we were in the midwest, we would look to the grain fields and the hay fields of Manitoba and Saskatchewan because of the transportation routes and the similarity. I am scared that while we know there is hay available there now we don't know whether the Americans have already gone in there and either outbid us or out-timed us. If that happens and we do decide—or your ministry decides later on down the line—that more hay is required to assist the farm community of Thunder Bay, the question is where do we get it from and how much more is it going to cost to transport it?

**Hon. W. Newman:** Let me put myself in the position of a farmer up there just for a moment, if I may. If I was farming up there and had beef cattle or dairy cattle or whatever it was and I knew there was a problem coming—I have had it happen in the past but we don't often get it as bad as it is supposed to be up there—I would certainly be looking for hay. If I felt I was going to be in a serious problem, I would be looking for hay now.

For the government to step in and say, "We are going to subsidize freight and hauling charges and hopefully get some assistance from Ottawa" and hope we could work some arrangement out with them—I don't feel I can commit the government to that at this point in time. As an individual farmer, I am sure if I could buy hay at \$25 a ton at this point in time, I would certainly be looking at it pretty carefully as a farmer in the area.

I can't tell you what's going to happen to the weather. I can't tell you what's going to happen in parts of eastern Ontario or even in parts of western Ontario where you have some very dry conditions. I know there has been rain since yesterday but certainly across the province it's bad. We, as a government or we, as a ministry, are prepared to look at any particular situation but every time something turns up we certainly can't jump in before we really know what's going to happen. We have to see what quantities of hay are harvested.

You say you have a short season. Granted, you have a short season. You can have a frost probably as early as—

**Mr. Angus:** Next week.

**Hon. W. Newman:** You could and going on into the summer. You could have a frost, probably, around Aug. 20. It is quite possible that you could get a frost, maybe not enough to hurt the hay crop but certainly you could look for frost in that area at that point in time.

**Mr. MacDonald:** It was two above in Moosonee last night.

**Mr. Angus:** We are not quite that far.

Interjections.

**Hon. W. Newman:** There are many factors involved and certainly I have requests and because of the House being in session often we hear from various parts of the province to come and look at the crop conditions.

**Mr. Angus:** There's a plane leaving at about 3:30 tomorrow afternoon.

**Hon. W. Newman:** If you get my estimates all passed tonight, then I might consider it. No, I'm just kidding. I would like to take a little more time if I do go up there and have a look at it and talk to farmers who are concerned about it.

**Mr. Angus:** I think they would appreciate that.

**Hon. W. Newman:** I can't guarantee it. I know I can't go next week, because I know the House is in for two days and I have heavily committed myself to delegations and meetings after that. I would hope to get up as soon as possible.

**Mr. MacDonald:** What is the nature of the assistance that you might expect from Ottawa? Have they an emergency fund?

**Hon. W. Newman:** Yes, they do have an emergency fund, and we found it out because they did it in one of your favourite provinces, where they got involved, on a one-third, one-third, one-third basis, in transportation costs. I was only being a bit facetious, I'm sure you are aware of that. We would want to have a look at it, evaluate it and then have a talk with Ottawa on the matter.

**Mr. Angus:** Can I suggest, Mr. Minister—since it seems it is not only a northwestern Ontario problem right now, but that you anticipate, with your fingers crossed, that

there may be something happening in southern Ontario as well; we hope it doesn't happen and that they get the kind of rain and sunshine that is necessary to keep their crop going—it seems to me there is enough indication for you to say to your cabinet that we have a problem, we're going to need hay sooner or later and hay is available at the remarkable price of \$25 a ton for purchase. Why can't we pick that up now?

Okay, you can divert some of it into Thunder Bay, and you can keep some of it stockpiled to meet the needs down here if necessary, so that we don't lose that hay in Manitoba. I should point out to you that some farmers in Thunder Bay have already brought in hay. One farmer brought in 175 tons already because he had no choice. His choice was to bring in hay or shoot his cattle. I'll tell you, that is one of the things that scared me at that meeting. That is what they were talking about—if they couldn't get hay at a price that they could afford they were going to go out and shoot their cattle. Some of them said they were going to go right out of business.

**Hon. W. Newman:** Okay, if they're talking in those terms right now, and this is only June, I must say—and I'm not criticizing whoever said it—they must be very pessimistic about the agriculture future in that area. I will be talking to Mr. Whelan as soon as I can get to Ottawa, which I hope will be next week, if we don't sit all week in the House. I hope to see Mr. Whelan and I will alert him to this situation. I will also be alerting him to several other situations we may have in the Province of Ontario. I'm not prepared to say tonight that we are going to buy the hay, and ship it down here. The cost of transporting it from Thunder Bay down to this area just doesn't make any sense cost-wise. You just couldn't do it. It is like buying pure gold almost.

**Mr. Wildman:** It's almost like the cost of shipping parts up there from southern Ontario.

**Hon. W. Newman:** No, in all seriousness, there are areas, for instance, as I said the other night I believe, in the estimates here, in eastern Ontario the sour cherry crop was 100 per cent wiped out because of the winter conditions this year. They have crop insurance. Maybe the farmers up there have crop insurance.

**Mr. Angus:** No, they don't.

**Hon. W. Newman:** One of the problems in your particular area is that it is pretty awkward for anything else but hay crops because of the short seasons. But there is crop insurance available for that in that area.

**Mr. Angus:** For forage crops?

**Hon. W. Newman:** Yes, for forage crops, sure. Whether it is too costly or whether they didn't take advantage of it, these are things I'd like to look at. If crop insurance is available and a farmer decides not to take advantage of crop insurance, then I really have to say, in all honesty and being very fair, that he has had the opportunity to have crop insured for a loss which would be covered under crop insurance. If he didn't take advantage of the crop insurance—

**Mr. Bain:** What is the cost for that kind of insurance in the Thunder Bay area? I would be very interested to hear that.

**Hon. W. Newman:** We could get it for you. I don't have it here.

**Mr. Angus:** Insurance is the type of thing you think about when you have a problem. That's if it is not required, like automobile insurance. I gather this is the first time in the memory of most farmers that they had a spring this bad. They've had summers that have been bad, they've had wet seasons, like two years ago, but they've never had a drought like this. In fact, there was a drought in the fall as well, and it was only the winter runoff that carried them through this far.

Maybe now a lot of them are going to take out crop insurance because they see that nature's changing, that the cycles are starting to reorient the growing seasons and how things grow, but that doesn't help them now. I agree with you that if insurance is there they should have it, but the reality is they haven't, and my concern is for the future of the farming in Thunder Bay.

**Hon. W. Newman:** Okay, I feel sorry for them about it, but it's like car insurance, if you want to be honest about it. You buy car insurance hoping you'll never have an accident. You may pay it for years and years and years and never have an accident, but it's there when you need it.

**Mr. Angus:** Yes, but you also have to have that, though.

**Hon. W. Newman:** I'm just told you've had problems up there for the last two years.

**Mr. Angus:** Last year as well?

**Mr. R. G. Bennett:** Yes, we provided assistance last year and the year before.

**Mr. Angus:** I knew that two years ago, because of the extremely wet conditions, assistance was provided. What was the problem last year?

**Mr. R. G. Bennett:** Just shortage of feed.

**Hon. W. Newman:** We'll find out the crop insurance rates up there. I can't tell you the crop insurance rates up there. We paid \$69,000 out in that area in northwestern Ontario in the last two years.

**Mr. Angus:** That's what the government has paid to the farmers?

**Hon. W. Newman:** That was just out of direct assistance.

**Mr. Angus:** Okay, just in a hypothetical situation—and you may decide not to answer in terms of the hypothetical—but say it is decided that hay has to be brought in to northwestern Ontario and that you do get some assistance from your federal counterparts; what is the possibility that the cost per ton will be no more than \$25 to the farmer?

**Hon. W. Newman:** There's really no guarantee of what it will cost the farmer. We're saying it would probably be based on a one-third, one-third, one-third basis for transportation costs.

**Mr. Angus:** Not including the purchase price?

**Hon. W. Newman:** I can't guarantee you if it's \$25 a ton; now they're 60-lb bales, I'm not a very good mathematician, but I know that hay in my own area where I live, last winter got up to \$1.50 a ton for about a 65- or 70-lb bale.

**Mr. Angus:** A bale.

**Hon. W. Newman:** Yes, a bale. Did I say a ton? Sorry.

**Mr. Angus:** What I'm getting at is, the cost of producing a ton of hay in Thunder Bay for the farmers there is, we figure, about \$40 a ton. We took the \$36 figure from 1974 and just tried to work in some inflation, but we figure about \$40 a ton. The farmers tell me that they have already expended at least 50 per cent of that in terms of planting, fertilizing and what work they've done in the fields. Really, \$20 or \$25 is all they can afford. I put it to you in that way, asking that you take that into consideration to try



and keep it within that range, because for every dollar you go higher per ton, you're probably talking about the removal of one steer or one cow from their farm.

**Hon. W. Newman:** I realize the difficulty of the situation, and it's not only in your area. Let's remember, in all of northern Ontario where they're farming there can be some difficult problems. I could take you out to northern Alberta, the Peace River country, where they get one good crop of grain about every three years because of the frost conditions. It pays the farmers to carry insurance. I can't give you the rates, but we will get the rates for you before we're through.

Of course, the rates are based on an individual basis on a five-year average, so if a farmer had a good crop last year then he could insure up to 60, 70 or 80 per cent of the crop for this year, whatever it was he had last year or the year before or the year before. It's all done on a rated basis and that's why I can't give you the figure until I talk to our people.

**Mr. Nixon:** Have you been out to the Peace River recently?

**Hon. W. Newman:** I haven't, sir, had the time. You people seem to like to keep me close to this building.

**Mr. Nixon:** If you want to take us out there maybe we ought to look it over.

**Mr. Angus:** A select committee to study the Peace River.

**Hon. W. Newman:** The last time I was out there I was on my honeymoon. That was quite a while ago.

**Mr. Nixon:** Year before last. You haven't even been fishing since three years ago.

**Hon. W. Newman:** I haven't.

**Mr. Nixon:** I think it's ridiculous that we don't do something about that.

**Mr. MacDonald:** Mr. Minister, could I ask a number of supplementary questions in that connection?

**Mr. Johnson:** Is he in order?

**Mr. Angus:** Donald MacDonald is always in order.

[8:45]

**Mr. MacDonald:** I'm sorry. It's supplementary to this topic. Did you want to get in on this topic? I bow to you; the floor is yours. That's as far as I have any control.

**Mr. Chairman:** The list that I have is Mr. Wildman and Mr. Johnson.

**Mr. MacDonald:** Put my name down later. This was on this topic before we left it; if we want to exhaust this topic.

**Mr. Chairman:** Go ahead, Mr. MacDonald.

**Mr. MacDonald:** This Alphonse-Gaston act is over. If the total amount of money available of this \$455,000, for example, in the Thunder Bay district last year, was \$43,000—

**Hon. W. Newman:** Forty-six thousand dollars.

**Mr. MacDonald:** —forty-six thousand dollars—suppose there was an emergency such as is now possible with the hay shortage, forage shortage, presumably the committee could decide that some of that money could be used for that purpose?

**Hon. W. Newman:** Yes, if they wanted to. They could use it all.

**Mr. MacDonald:** They could use it all? The thing I was trying to come to grips with is that if you have an emergency situation—as you may have in the rather erratic conditions of the north—it's quite possible that this special fund for what is described as agricultural development can be more than gobbled up by the emergency. For example, I am saying earlier that last year it was something like \$750,000.

**Hon. W. Newman:** Three quarters of a million dollars for what?

**Mr. MacDonald:** Didn't you say that?

**Mr. Angus:** No, that was the estimate for what it would cost this year.

**Mr. MacDonald:** The estimate for what it would cost this year? That may be exaggerated; it may be a bit pessimistic.

**Hon. W. Newman:** I don't know how many head of cattle are in that area and how many acres of hay are under cultivation, but \$750,000 sounds like a heck of a lot of cattle to me. I don't know—you talk to me about situations—

**Mr. MacDonald:** Don't let me lose the point I was raising. They can use that fund—it's only \$46,000—and it may be all gobbled up to meet the forage needs for that one year?

**Hon. W. Newman:** Maybe the committee has already met. I don't know. Do you know

if the committee has been up there to discuss this?

**Mr. Angus:** I have no idea at all.

**Hon. W. Newman:** The committee, at this point in time, maybe can use that fund, if they want to use it in total, for buying hay.

**Mr. Angus:** Possibly you stopped it—

**Hon. W. Newman:** It's the local committee which makes that decision. They may have already committed it for something else, for hauling lime or some other reason. I don't know. I can't tell you specifically. We'd have to have our representative in that area tell us exactly how that fund has been used up.

**Mr. R. G. Bennett:** The ag reps sit on all the committees.

**Hon. W. Newman:** They do.

**Mr. R. G. Bennett:** They're the secretaries or something.

**Hon. W. Newman:** They made a decision, apparently, in the early spring but there's no reason they can't change it. I know last year, in several cases they committed it in the early spring at their meetings and they would spend their money in some of the districts. As the year went on they used it for other purposes.

**Mr. Angus:** Unless they'd already spent it by the time the crisis emerged.

**Hon. W. Newman:** Well, it could be.

**Mr. Angus:** Then they'd be out on that.

**Hon. W. Newman:** It could be they've already committed it or maybe have already spent it. I don't know.

**Mr. Wildman:** I'm glad the minister recognizes there is farming in the north.

**Hon. W. Newman:** My first speech was in the north part of the Province of Ontario. The first speech I made when I became Minister of Agriculture was in a little place called Oxdrift, if you know where that is.

**Mr. Wildman:** Yes. I met with you in—

**Mr. MacDonald:** Yes.

**Mr. Bain:** Yes, near Kenora.

**Mr. W. Newman:** It's in Ontario.

**Mr. Wildman:** I met you in the Soo at a time when you were there with the cabinet and you were talking to some farmers in the

area so I know you're quite well aware that there is a large number of farmers there. It's not a large number, certainly, in terms of western Ontario or, perhaps, even eastern Ontario when you're talking about numbers and acreage but they are significant in my riding and an important part of my riding, especially in the southern part of central Algoma and on St. Joseph's Island, which has been mentioned in this House before, I'm sure.

**Mr. Riddell:** Good maple syrup up there.

**Mr. Wildman:** And corn, too, but they try to transport corn in the trunk of the car.

I'd like to ask a few questions on agriculture development in northern Ontario following what Mr. Angus said. Not too long ago I was talking to Galen Driver in North Bay and he indicated to me that the fund was \$420,000. The figure of \$420,000 has been used here but the estimates say \$455,00. Is there any reason for that difference?

**Hon. W. Newman:** I don't know; \$35,000 is for limestone transportation.

**Mr. Wildman:** That's what I wanted to get to.

**Mr. R. G. Bennett:** If you'll look, no limestone went in there this year, so we incorporated it in there since it is all in the north.

**Mr. Wildman:** There used to be what was called the limestone transportation assistance policy; I was under the impression that had been discontinued and now has been added into the fund for agricultural development in northern Ontario. Is that correct?

**Mr. R. G. Bennett:** As an overall fund it has been incorporated.

**Mr. Wildman:** The same amount of money is still there, though?

**Mr. R. G. Bennett:** The same amount; if a particular area needs it and wants to use it, then the extra money is in there.

**Hon. W. Newman:** What we have said in this vote now is that what was in for a specific commodity before has been put in the overall fund so they can use it for whatever they want.

**Mr. Wildman:** Okay.

**Mr. MacDonald:** An unconditional grant.

**Hon. W. Newman:** It is an unconditional grant; the farmers decide how it will be spent.

**Mr. Wildman:** I have talked to the members of the local committee and they have asked me to raise a number of questions in regard to this. Am I correct in understanding the \$35,000, which is now under this vote, used to be sort of an open-ended thing? There were \$35,000 there but if more than that was used, it could be obtained by the farmers. Is that correct or not?

**Hon. W. Newman:** It could be. I haven't been the minister long, but it hasn't been since I have been in the ministry.

**Mr. Wildman:** They have never used it up before—certainly not in my area anyway; but now it is no longer open-ended. Is that correct? It is just \$35,000 and that's it?

**Hon. W. Newman:** Except that out of a total of \$455,000, if \$46,000 or \$45,000, say, was allocated to your area, they may decide in a particular year to use it all for hauling lime, if they want to. That's their decision, and that's why we left it there.

**Mr. Wildman:** Can you tell me how much is allocated for whom?

**Mr. Lantz:** For Algoma it was \$36,000 last year, and that doesn't include the limestone that Algoma might have used.

**Mr. Wildman:** There are some local problems in regard to this in that until last year, although about 90 per cent of the land in central Algoma can use lime, and should have lime, not many farmers took advantage of it, largely because of transportation and spreading problems. The main source of lime up until last year was Reiss Lime at Serpent River. The lime was being transported from there on a flatbed truck with the box on it; and it just got dumped in the yard. It was up to the farmer to spread it, and if he didn't get it spread soon enough, then it was pretty hard to do. Just last year, the local committee spent a substantial amount of money on a lime spreader and, by coincidence, we got a PCV for a local dump truck operator who got an agreement to get lime from the Algoma Steel Corp. and then transport it by dump truck to the field; if the field dried up, he would just go out on the field and spread it himself. Thus, the farmer had the possibility then of just phoning him up and getting it spread, so it meant it was a lot easier to get. Suddenly, the number of farmers taking advantage of the lime subsidy jumped a great deal in the last year.

I have a letter here from a member of the committee, and he said that prior to 1975 they were averaging about 530 tons of lime being used in Algoma, but last year it jumped

to over 3,600 tons because it was easier to spread and it didn't mean a lot of work for the farmer; also, it didn't mean a great deal of expense. But when the money was allocated this year, apparently it was allocated on the basis of the amount of lime used from 1972 to 1974 rather than on 1975 usage; if you compare the average of 530 tons with the amount in 1975, 3,600 tons, there just isn't the kind of money available that was previously available. Now it appears that once you have a situation where it's possible for the farmers to take advantage of the subsidy, suddenly they seem to be putting limits on it that make it more difficult for the local committee, unless they are going to take funds away from another area where they are using the funds, to allocate the kind of money they were allocating before.

**Hon. W. Newman:** My only comment is that in 1975 we would not have known that. We wouldn't have had that total figure for 1975 because our estimates were in preparation; so all we can work on is 1972 to 1974.

**Mr. Wildman:** The situation has changed. Last year, the local committee was subsidizing up to 100 per cent of the cost to the farmer. That meant \$9 or \$10 a ton. This year they've had to set it at \$3 a ton because of the amount they anticipate will be used. Of course, that might drop if the subsidy goes down a great deal. If they're calculating on the basis of the number of tons used last year, their subsidy is a lot less, or is going to be a lot less. When you consider the fact that the land needs it, it can help to improve the amount of produce in the area.

It seems a shame that once you get to a situation where they can have the subsidy used, it gets cut for the farmers. I would hope that, perhaps, if not in this year, then next year, that the ministry will consider allocating a larger amount to Algoma for this. The local situation is very ripe for the use of lime, and it now appears that it's going to be harder rather than easier for the farmer to get it.

**Hon. W. Newman:** I'm prepared to look at it in terms of our total allocation next year. It's pretty hard for me to tell at this point in time what the total allocation is going to be next year for our budget and how it will be allocated. There are always budget demands no matter in which area you allocate the funds, whether it be tile drainage—about which there has been a lot of concern—or capital grants, farm tax reduction, or whatever it may be. But in the total context of our budget next year, we certainly will look at this area. That's a part of the figures we'll be looking at when we're



making our total allocations for the 1977-1978 fiscal year.

**Mr. Wildman:** After I talked to Mr. Driver I got in touch with the committee again and asked them to write me as to their feelings on the subject. I will just read one section, and I hope you will take this into consideration when you are preparing your budget for next year.

The committee is somewhat disturbed that the figures included in the 1976 allocation to the Algoma development fund do not take into consideration the increased lime use in 1975, when the three-year average is taken and calculated. We feel the range of 3,600 tons is a more realistic figure for the use of lime in Algoma, at which it will probably continue for many years.

When there is a possibility for improving the produce, I hope we can look at that area. I just have a couple of other questions under this vote.

**Hon. W. Newman:** May I just comment on that? We've talked about lime, we've talked about hay—and the overall picture all has to be looked at from year to year. For instance, we're not going to tell you exactly what is going to be used in 1976 when we are preparing our 1977-1978 budget. So these are the problems that we have, but certainly the 1975 figures will be taken into consideration when we deal with the next budget.

**Mr. Wildman:** I'd like to move away from that and talk on another subject. I don't know whether this was discussed last Monday night, since I had to be away on a speaking engagement. But under the farm income stabilization plan, that is, the cow-calf plan, have you as yet decided on premiums and a support price?

**Hon. W. Newman:** I don't like to give firm dates, but I'm anticipating making an announcement either tomorrow or Friday. It could even be Monday.

**Mr. Wildman:** Oh, I see. Fine.

**Hon. W. Newman:** It's just a matter of finding the time to sit down to go over the final figures with the staff.

**Mr. Wildman:** How did you react to the article recently in *Farm and Country* which said that the plan, as it was operated last year, on average really only gave about eight cents a pound over out-of-pocket expenses?

**Hon. W. Newman:** Sorry, I missed that.

**Mr. Wildman:** When you were talking about the 50-cent support price, how did you react

to an article in *Farm and Country*, I think last month, on its long analysis of the cost of production? When you take management investment and costs into account, they came up with 71.7 cents a pound, or something like that. They figured that considering the average amount paid out to each farmer—which certainly helps; there's no question about that—it was about eight cents a pound over and above out-of-pocket expenses. How do you react to that? Do you think that is an accurate statement?

[9:00]

**Hon. W. Newman:** I'm not going to go into detail tonight, because I will be making a detailed announcement shortly, but we have done an actual cost analysis on various farms this year, using an average of 105 head, I believe, in a cattle herd. Last year the programme was brought forward on the basis of the model, because of the urgency of the situation; this year we have actually gone out in the field and done some costing analysis on the various farms. Therefore, that will be a factor in the announcement I hope to make later this week but at the first of the week at the latest.

**Mr. Wildman:** If that amount is accurate—I know you haven't said it was—would you consider that amount to be an incentive? I have heard some comments by certain cattlemen that they felt that amount, or the 50-cent support price, really was an incentive in that it kept people in the business who might not have been in the business, which I think is true. But do you really consider that an incentive or is it just something that is keeping them going?

**Hon. W. Newman:** Some of our people got out of the business last year, while some of them stayed in. I think it was of great help. It worked out at \$72.10 net per cow, which is a great help to many of the cow-calf producers in this province.

You talk about incentives, but if I was an old man who lived in eastern Ontario, and if I had 100 acres with low taxes and everything paid for, and I just took a bit of hay in and I didn't have any major expenditures, I suppose my out-of-pocket costs per se would be very low. On the other hand, it could be a young person or somebody who is heavily in debt. So you could go either way in that situation.

The 50 cents a pound that was paid under the programme last year was intended to help the farmers through a difficult situation; I

think it did just that and that it was well received across the province.

**Mr. Wildman:** I don't accept that it was an incentive; I don't think it was. I would hope, when we hear your announcement, that you might be looking at raising the support price to something like 60 cents or over to meet more of the costs as calculated, rather than leaving it at an amount that is just going to keep the guy going. In my area there are a lot of young cow-calf farmers and farmers who are having to spend money on feed, fertilizer and so on, which cost a lot because of the transportation costs of the north. I know it is suggested that beef prices are going to improve this year; maybe I am being pessimistic but, unless we have a very fortuitous set of circumstances I really don't see them improving to the point that would make it a profit-making operation.

**Hon. W. Newman:** Rather than getting into the field we discussed yesterday, my attitude has always been that we should not get into incentive pricing. It is a matter of opinion. The Ontario Cattlemen's Association have been in to see me, and they gave me a figure; the Ontario Federation of Agriculture didn't give me a figure; the Christian Farmers' Federation also were in, but they did not give me a firm figure on what they thought it should be. We can argue either side of the coin as far as the cow-calf programme is concerned.

**Mr. MacDonald:** How do you reconcile your figure of 61 cents with the OFA's 71 cents and cattlemen's association figures of 76 or 90 cents?

**Hon. W. Newman:** They are all calculated on a different basis. The basic difference between the OFA figures and some of our calculations is that one counts all farm income while the other counts cash crop income, which would take into consideration—

**Mr. Riddell:** Is 61 cents what you'll be paying this year?

**Hon. W. Newman:** I didn't say that at all. That's what they'd like to be looking at.

**Mr. MacDonald:** Surely there were two other factors. Just as a matter of information, weren't there other differences between yours and the OFA's calculations in the valuation you put on land and the valuation you put on labour?

**Hon. W. Newman:** No. In some cases we were higher than they were, and in some cases they were lower than we were, so

there was quite a differential. We have analysed their figures very carefully—

**Mr. Nixon:** In some cases you were higher and in some cases you were lower?

**Hon. W. Newman:** What we did this year was we had the OFA in to go over our figures with us, so they would have a knowledge of exactly how we had figured it out.

**Mr. Nixon:** What are your figures?

**Hon. W. Newman:** We haven't announced the figures.

**Mr. Wildman:** Well, we'll certainly be looking forward to your announcement.

I just have one other question, regarding A1, which you mentioned earlier. As you said, it was brought up at the Geneva Park conference by the breeders. You looked at the A1 subsidy and decided to raise it—and I'm glad you did. When I later asked you about it in the House, you said—and I agreed with you at the time—that there was some difficulty in determining how it should be raised and how it should be administered because they were losing different amounts in different parts of the north. In some cases you said they were losing as low as 25 cents; in other cases they seemed to be losing almost as much as \$5.

**Hon. W. Newman:** I have forgotten the exact amount.

**Mr. Wildman:** Now, my understanding is that your final decision is to double it from the \$2 to \$4 right across the north.

**Hon. W. Newman:** Right.

**Mr. Wildman:** Now, can you explain why you came to that conclusion after your thinking previously that perhaps there might be or should be some regional adjustment or something?

**Hon. W. Newman:** In each different area, by and large, it's the same unit that does most of the work—right? So to avoid regional differences, and a bureaucracy to administer a plan, it was much more practical to go to a straight doubling of the price right across the area. The service fee charged by United Breeders to farmers is, by and large, the same. It might vary a dollar or so from region to region. So, by just doubling the figure it was much more practical for us to administer the programme. It was the only practical route to go.



**Mr. Wildman:** That is very important for the dairy producers in my area. Figures I was given last fall were that they were charging \$9 a service, and with the \$2 it came to \$11. They were calculating their costs at between \$14 and \$15. If you've doubled it to \$4, and if they are still to charge \$9, that would bring it to \$13 and they would still be losing money. So I guess you're anticipating that they are going to raise their service charges—is that right or not?

**Hon. W. Newman:** No, I'm anticipating they make enough profits in the other parts of the province to offset that, and they'll be creating a service to people in that area. If there is a further problem, we're prepared to discuss it with the people in the area; but that was satisfactory to keep the service in operation in those areas for the people who needed it.

**Mr. Wildman:** Yes, I know. And the United Breeders have said they would not raise the fee. Fine. That's all I have right now.

**Mr. Johnson:** I'd like to speak for a few minutes on tile drainage. This is in relationship to the remarks that Mr. McKessock made about the resolution from the township of Amaranth on May 6 and sent out May 12. I have quite a few townships in my riding that are very concerned with this tile drainage problem. I have been in contact with the minister for some time on it. I have one letter: "I acknowledge receipt of your letter of May 12 concerning tile drainage loans in Maryborough township." And on Amaranth township, the minister stated May 12: "I am currently reviewing the situation to see what can be done to alleviate the problems."

I have several letters from West Garafraxa and Peel townships, from Grand Valley, and many others. Before the resolution from Amaranth came in, the minister had increased the amount of money available to the tile drainage programme from \$13 million to \$16.8 million.

**Mr. McKessock:** What they wanted was the restrictions removed.

**Mr. Johnson:** And this was not under the pressure of the Amaranth resolution, but because the minister felt himself that there should be more money available and because the PC caucus supported him in his opinions.

**Mr. Nixon:** They're going under in that regard.

**Mr. Johnson:** I think this party is as much concerned with rural people as any—

**Mr. Nixon:** In drainage, certainly.

**Mr. Johnson:** Certainly.

**Mr. Wildman:** Everything goes down the drain.

**Mr. Chairman:** Order, please.

**Mr. Johnson:** I would like to go on record as saying that our minister should increase the grants for tile drainage, but not through any pressure from any municipality, especially from the opposition.

**Mr. Bain:** Three cheers for the opposition municipalities.

**Mr. Johnson:** There is only one opposition township in Dufferin, and it happens to be Amaranth.

**Mr. McKessock:** We'll see when all the reports come in from the others.

**Mr. Johnson:** Anyway, we now have the tile drainage up to \$16.8 million and while perhaps it's not enough, at least it's an increase and if we need more, maybe it will be made available.

**Hon. W. Newman:** My only comment on that might be slightly political—

Interjections.

**Hon. W. Newman:** The fact is that there are members in our party representing agricultural communities who brought very forcibly to my attention the problems they are faced with.

**Mr. Nixon:** I hope you are going to send out copies to all those members concerned.

**Hon. W. Newman:** I must say that I was well aware of the problem when the budget first came in. We felt we could live within the \$13 million; we calculated that we thought we could—

**Mr. Nixon:** There was an overrun from the previous year, as I recall.

**Hon. W. Newman:** A lot of it was, because the bills were not submitted in time for us to pick it up last year, but the amount was increased by \$3.8 million. I can assure you that I heard from Jack and many others; it was brought forward very forcibly. That's one nice thing about our party—I won't say that; yes, I will—we are free thinkers in our party and we say what we think.



**Mr. MacDonald:** Quit arguing with yourself.

**Mr. Nixon:** That's right; you always have been. You were talking about the wolves in a very free-thinking way, the other day as I recall.

**Hon. W. Newman:** I wasn't referring to you; I didn't mean that.

**Mr. Nixon:** No, no. Look, since this has been raised, the hon. member said that if more is required that will be forthcoming. That's policy too, is it?

**Hon. W. Newman:** I said it had been increased from \$13 million to \$16.8 million.

**Mr. Nixon:** The hon. member, in talking about Amaranth as an opposition township, indicated that if more was required, more would be forthcoming.

**Mr. Johnson:** But not for Amaranth—for the other townships.

**Mr. Nixon:** I think the phrase is, "Not a nickel for Amaranth."

**Mr. Wildman:** Let the record show it.

**Hon. W. Newman:** Are you suggesting that we spend more of the \$3.8 million—

**Mr. Nixon:** He said "not for Amaranth"; I thought perhaps you would take his advice.

**Hon. W. Newman:** We will do the best we can with all the municipalities in this province.

**Mr. Bain:** I'd like to ask a rather brief question on the tile drainage programme. I'm sure the minister is aware there were many farm townships that entered the programme immediately upon its inception, and therefore built up a considerable payout under the programme over the years; and, as time passed, they became entitled to more of a payout because they had already established that precedent. But there are many townships in my riding that were late in getting involved in the programme for various reasons; one in particular, Hudson township, has applied this year—

**Mr. Nixon:** Hudson?

**Mr. Bain:** Hudson township—like the river, the bay and the explorer.

I don't have the figures in front of me—I believe the minister probably has received or shortly will receive a letter, because it

has been mailed—but the township applied for something in the vicinity of \$30,000 this year; however, because they had a low payout in previous years, they only received about half of that.

I was wondering whether there is any provision that will allow townships with sizable farm communities, which haven't got involved to a large extent in the past, to meet some of these requirements now. As I say, they really haven't availed themselves of the programme in the past, but the need is very great. For various reasons they haven't got involved but, as I say, they need it and now they are being penalized. [9:15]

**Hon. W. Newman:** I don't know the specific townships because we are talking about an organized township—

**Mr. Bain:** It's an organized township.

**Hon. W. Newman:** Even in the unorganized areas for the first time this year we have allocated some funds for tile drainage—\$100,000 for the unorganized municipalities in this province for the first time this year.

**Mr. Bain:** No, this is an organized one.

**Hon. W. Newman:** In an organized area, the basic amount—if they hadn't spent anything before—they were allocated, I think, \$10,000 basic. What they did in 1975, I can't tell you for your specific township but there was a basic allocation to all the organized townships in the Province of Ontario of \$10,000 even though they didn't do anything. We are checking now with those which are not going to use the \$10,000 and we hope we would be able to get it back and reallocate it.

It may be that some of it will not be used. In some of the municipalities the problem is they may not come back until later on during the summer and we may be able to reassess the situation again in September for fall drainage. I don't know, for this specific township you are talking about, whether there was nothing there before or how much was done there before but there was a basic allocation in the programme to every municipality in the Province of Ontario of \$10,000.

**Mr. Bain:** In the last two years it was somewhere in the vicinity of \$12,000 or \$14,000 each year. It was a sum slightly over \$10,000 and that was comparable to being sufficient for their needs. As I say, this year the programme became more evident to the farmers in that community and they applied

for a little over \$30,000 but they received basically the same amount as they had received in all the other years and this has created some difficulty. They are afraid that they are not going to be able really to provide the service to the farmers who require it.

**Hon. W. Newman:** We have the figures here and by and large the whole programme has gone from \$5.4 million four years ago to about \$16 million last year. If you want this specific township, let's get it to you. Hudson allocation is \$17,500; approved as of April 1, \$9,000. Received in April \$17,800, for a total of \$26,800; the excess over your commitment is \$9,300. We don't know and I can't tell you at this point in time—

**Mr. Bain:** You say they are getting \$26,000?

**Hon. W. Newman:** No. That's what you are asking for.

**Mr. R. G. Bennett:** You are getting \$17,800.

**Mr. Bain:** Which is about half of what they need.

**Hon. W. Newman:** What I am trying to tell you is there will be municipalities which won't use it and there will be a reallocation of funds. I am not only talking about that township—I am talking about many townships. There will be a reallocation of funds. I would assume there is very little tile drainage going on at this moment in your particular area and this fall we would be working it out. We have a municipality—I am not sure it is in your riding or not—which has been allocated \$10,000 but they haven't applied for any so as the summer rolls on, if they don't apply for any, that money could come back and be reallocated to other municipalities.

**Mr. MacDonald:** At what point in the year do you reallocate it?

**Hon. W. Newman:** It is all very difficult. It is an ongoing process because we don't know—for instance, it may be a particularly wet fall in an area where they had decided not to go ahead so there was no application from the municipality. There's \$10,000 from this particular municipality which will go out and be pro-rated and allocated to others.

**Mr. MacDonald:** Specifically, if you get to the fall and there are X number of townships which have their allocation of \$10,000

and they haven't touched it, is that reallocated?

**Hon. W. Newman:** Yes, we will reallocate it.

**Mr. Bain:** For example, in the north—I know there are representatives from the south here, somebody mentioned Essex, but I know that in Essex they have a growing season considerably longer than ours and a much drier fall—in the north we would need to know fairly early in the fall because there's just a time—I wouldn't suppose anyone would do any tile drainage after the beginning of October probably.

**Mr. MacDonald:** After the snow anyway.

**Mr. Bain:** In order to do the tile drainage at the beginning of October, they certainly would have to know at the beginning of September at least, if not before.

**Hon. W. Newman:** That's right but in many cases you are depending on the weather conditions and when the crops come off. There has been \$100,000 allocated to the unorganized areas this year. We don't know whether they are going to use it all or not and we are constantly monitoring it with the number of engineers we have and we are constantly reallocating it.

**Mr. Bain:** I realize that, but is there any possibility that you will be able to notify the townships, especially in northern Ontario, by Sept. 1, if we can expect any more money?

**Hon. W. Newman:** We will do our best to do it as early as possible, as we get these figures in. It is not easy. There are all these hundreds of municipalities that want it, but it's not easy to answer all the questions. What equipment is in the area? How fast the equipment can work? Is it working on some fields during the summer crop season? What is the capacity of the equipment to put in so much drainage in the fall? What equipment is in your area? What adjoining municipalities may need the money?

It's part of the overall programme to try to figure all these things out, to make sure that there is an allocation. If we allocated extra funds for your municipality, there might be a possibility that the work couldn't be done. It depends on the contractor and how much work he has got in any particular area. They tell me the contractor in your area is in Earlton, and apparently he quits at the end of November. That's what they tell me here.

**Mr. Bain:** I imagine he quits then because the ground's probably frozen.

**Hon. W. Newman:** But you could take a bit of frost out of the ground and still put in tile. By the end of November, as a rule, you're not into a very heavy depth of frost in that area. I've been up in that part of the country.

**Mr. Bain:** Well, we usually have—

**Hon. W. Newman:** If you get into snow conditions, yes. It's true; you could have snow on the ground.

**Mr. Bain:** Yet you say that Sept. 1 is a realistic time?

**Hon. W. Newman:** I'm not going to give you a specific time, because it's an ongoing process; as quickly as we can get the money in and reallocate it, the better it is for us too. I've taken a commitment for \$16.8 million; if we don't spend all that this year, then we will have a problem next year trying to justify in our estimates why we didn't spend it all last year.

**Mr. Bain:** I'm sure Hudson township will be happy to oblige.

**Hon. W. Newman:** I'm sure, but I'm also sure that there isn't a member sitting in this room, except for the member for York Centre (Mr. Stong)—

**Mr. Ruston:** I will take all your surplus.

**Hon. W. Newman:** I'm sure. He might do some tile drainage—no, I won't say that.

**Mr. Ruston:** I have eight townships that I'm sure will take any surplus you have.

**Hon. W. Newman:** I'm sure they all will.

**Mr. MacDonald:** One quick question while I think of it: When can we expect the next annual report?

**Hon. W. Newman:** As a matter of fact, I hope to table it in the House on Monday or Tuesday. It just arrived on my desk today; I have just started to look at it, but I haven't had a chance to read it.

**Mr. MacDonald:** That raises the perennial question, is there any possibility in future years of getting it before we deal with the estimates?

**Hon. W. Newman:** Why don't I ask the people who are preparing it? I have no objection.

**Mr. MacDonald:** I suppose it depends at what time of the year we do the estimates.

**Hon. W. Newman:** That would have some bearing on it, yes.

**Mr. MacDonald:** It would help even if we had proofs pulled before the final document was published. I mean, it's always useful to have the up-to-date information.

**Hon. W. Newman:** Is that this year's report that you have?

**Mr. Macdonald:** No, it is last year's.

**Hon. W. Newman:** The report arrived on my desk only today and, I must be honest with you, because of the House and other commitments I had today, I haven't even seen it myself.

**Mr. MacDonald:** Every year this comes up; in fact, there used to be years in which we were complaining about annual reports being so late all the time and, therefore, not being useful. I just raise the point for your consideration. Even if you're at some stage and it hasn't gone through the printer, it would help if you could pull page proofs or some blessed thing and at least give them to the critics in each of the opposition parties.

**Hon. W. Newman:** Maybe we could give them to them, but not give them to everyone. Certainly I have no objection; it's simply a matter of having to wait until about April 20 when the accounts are closed out,

**Mr. MacDonald:** I recognize that.

The one area I want to ask some questions about, if I might, Mr. Chairman, is the farm tax reduction programme. What, if anything, is being done to eliminate the freeloaders on this? I'm sorry my colleague, Mel Swart, isn't here, because he is much more knowledgeable in this from years of involvement at the municipal level, but he's tied up with legislation in the House this evening. He cited one case this morning. He knows personally of a man in St. Catharines who lives on a so-called farm of 15 or 20 acres; he qualifies as a farmer because presumably he markets at least \$2,000 worth of produce under the Statistics Canada or the categorization —

**Hon. W. Newman:** No, he has to sign an affidavit.

**Mr. MacDonald:** Has to sign an affidavit as to what?

**Hon. W. Newman:** That he produced at least \$2,000 worth of produce.

**Mr. MacDonald:** Well, however he does it, it's only \$2,000. He has a half-million-dollar



home, and his main work is in the city of St. Catharines, but that man is getting half of his taxes paid.

**Hon. W. Newman:** Let me answer that particular question. I'm quite prepared to say I'm sure there are cases in which the system may be being ripped off and I'd be less than honest if I didn't say I'm convinced in my own mind that it is. But let's remember that in the budget when it came down this year there was a special commission set up to deal with assessment.

**Mr. MacDonald:** Is that commission going to look at this problem?

**Hon. W. Newman:** They'll look at it on the basis of market value assessment but the tax bill for the buildings and the land would come in and would be sent directly to the province for a bona fide farmer, which would be kind of a sure-fire way of catching up with this sort of a situation. It wouldn't be based on—

**Mr. MacDonald:** What's going to be your definition of a bona fide farmer?

**Hon. W. Newman:** There is a very difficult way; it's a tough one to answer.

**Mr. MacDonald:** How well I know, because for years we've been grappling with it.

**Hon. W. Newman:** If you can give me a good definition I'd like to hear it. But I say I think the new assessment system will correct this. I want to make sure that this commission which is going around—by the way, it has two farmers on it—I think some time this fall its report will be brought in and once the government gets into implementing it—I can't give you a time-frame on implementation—that sort of problem will be resolved because they will be paying the taxes now set on the home, per se separately. That will eliminate that problem. Whether they use 50 per cent of value for tax or however they do it for the home, that will eliminate the specific problem of somebody with a \$500,000 home on 20 acres of land who's getting 50 per cent of the taxes back now. Whether we should get into a major programme this summer or this year to deal with the matter or wait until the special commission on assessment comes in with its report—

**Mr. MacDonald:** Are those two farmers on the commission genuine farmers?

**Hon. W. Newman:** Yes, they are very genuine farmers. They are very capable farmers.

**Mr. MacDonald:** For the moment I'm not questioning their capability but I want to know if they were gentlemen or genuine farmers.

**Hon. W. Newman:** Genuine farmers, sir.

**Mr. Evans:** Not asphalt farmers?

**Mr. Ruston:** All farmers are gentlemen.

**Hon. W. Newman:** I don't know what a gentleman farmer is. I suppose all politicians who are still farming are gentleman farmers.

**Mr. MacDonald:** Teachers, lawyers, doctors, E. P. Taylor, etc.

**Mr. Wildman:** A gentleman farmer is a man who spends his money on the farm rather than try to live on it.

**Mr. MacDonald:** All farmers spend their money on their farms.

**Mr. Wildman:** Some of them are trying to live off their farm.

**Mr. MacDonald:** I assume from what the minister says that when we get that report next fall we'll be able to grapple with this issue for the first time.

**Hon. W. Newman:** If you know of any specific incidents, or anyone does, and I say this advisedly to anyone here—when we got into the cow-calf programme, I think in the supplementary estimates, I asked a certain member—and I'm not being nasty when I say this—if he knew of somebody who ripped it off. I asked, not in the committee, to give me the name afterwards. I have had several letters about an individual who, somebody said, has ripped off the programme. They have been checked into. If you know of any specific case or cases where you think it is being ripped off, I don't want to put it on public record but I would appreciate hearing about them.

**Mr. MacDonald:** I can give you one case because he said "Go ahead and use it;" once I mention the name you will recognize him if you know the gentleman—Ralph Cowan, former MP for Humber riding. He owns some property near Barrie and when the tax was first brought in he said, "It would be nonsense if I were to get it." Sure enough, sooner or later he got a notification saying he was going to get this. He went to the clerk and tried to be cut out, saying he wasn't entitled to it. A strange sort of animal but Ralph Cowan is that sort of a fellow and he couldn't get cut out.

**Mr. Eaton:** He has to apply for it.

**Mr. Ruston:** In the first year they had to.

**Hon. W. Newman:** You have to sign a form every year.

**Mr. MacDonald:** Now, yes, but the first year you didn't.

**Hon. W. Newman:** You have to sign a form every year swearing to take your \$2,000.

**Mr. Ruston:** He's got to return the money.

**Hon. W. Newman:** Quite possibly he could have returned the money—certainly it could be looked into. All right, you've given us a name and I'll ask our people to look into it. I don't think it's fair to put people's names on the record and I say this with all due respect. Was he a Liberal MP or a Tory MP?

**Mr. MacDonald:** He was a Liberal MP and if you know Ralph Cowan, he hates the guts of every Tory so he told me I could use this information against the government.

**Hon. W. Newman:** I'll ask our staff to check into that immediately.

**Mr. MacDonald:** Very good; it's fair game. One final question: Am I correct that in the approach of the Willis Blair commission you are separating the residence but farm buildings will be taken along with farm land?

**Hon. W. Newman:** That is the intention at this point in time. There may be changes in this and there will be representation made by the federation and other farm groups and individuals to the commission and I don't want to prejudice what's going to be said to them. Whether it will be the land or the land and the buildings, and the house will be kept separate on a particular lot and it will be taxed on a basis or probably assessed on 100 per cent of assessment value; but how it will be taxed on 50 per cent, frankly I don't know.

[9:30]

**Mr. MacDonald:** I'm very interested in this development, because when the New Democratic Party held its first policy convention in 1962, one of the policies it adopted was the exemption of, at that stage, school taxes from all farm lands and buildings.

**Hon. W. Newman:** That's in effect what the farm tax reduction does, of course.

**Mr. MacDonald:** Yes, it took you 10 years to catch up.

**Hon. W. Newman:** Oh no. The farm tax reduction has been our programme since—

**Mr. Ruston:** 1971.

**Hon. W. Newman:** —1971.

**Mr. MacDonald:** It took you 10 years to catch up.

**Mr. Ruston:** I brought it to your attention on the floor.

**Hon. W. Newman:** Anyway, it was 25 and now it's 50. I will tell you, it's a good programme—and it is being looked at carefully.

**Mr. Bain:** Most of our programmes are good programmes.

**Hon. W. Newman:** I beg your pardon?

**Mr. Bain:** Most of our programmes are good programmes.

**Hon. W. Newman:** Thank you very much for the compliment; I appreciate it.

**Mr. Ruston:** I was going to mention something about tile drainage, but it has been pretty well covered by a number of members.

I'm sure the minister is aware of the serious situation in Essex and Kent counties, since there is a large area of flat land. Other people have a different name for it. Anyway, it's absolutely essential to have tile drainage. I'm sure the minister is aware of this and the Minister without Portfolio, the member for Lambton (Mr. Henderson), of course, being on the drainage committee, has been informed of this by many people in the area. I just wanted to reiterate that it is very important.

I would hope that funds would be made available in some way for this particular thing, because it is very important. With the price of land going up, some people are now tiling fields that haven't been tiled and clearing bush to put new land into production. On my brother's farm there has been a bush there since the farm was started over 160 years ago, and only now are they clearing it out. Many farmers are doing the same thing. Of course, tiling is the first essential thing you must do if you want to produce to make a profit of any kind at all. I just wanted to mention that.

**Hon. W. Newman:** I'm well aware of the overall tile situation. I must admit that I've had my fair share of letters.

**Mr. Ruston:** Yes, you have; I realize that.

**Hon. W. Newman:** You did make a very good point there. A lot of land is coming back into production, right?

**Mr. Ruston:** Oh, yes.

**Mr. Bain:** It was never in production. It was a forest.

**Mr. Ruston:** That's right. It was never in production. It was in pasture land, I suppose, up until about 20 years ago. But it wasn't feasible to keep it fenced, so it sat idle.

What is the main use today for capital grants? Has there been any change or trend, or are they mostly still used for buildings and some drainage? What is it?

**Hon. W. Newman:** The capital grants programme?

**Mr. Ruston:** Yes.

**Hon. W. Newman:** I just know there has been a tremendous number of requests. I can't give you a breakdown.

**Mr. Sewell:** Here are the percentages in last year's programme.

**Hon. W. Newman:** Do you want a list?

**Mr. Ruston:** Roughly; I don't want to go into too much detail.

**Hon. W. Newman:** Okay, here are the percentages: bridges, one per cent; dairy barns, 20 per cent; storage, one per cent; stable cleaners, three per cent; greenhouses, two per cent; hog barns, two per cent; implement sheds, 10 per cent; manure storage, one per cent; milk cows, one per cent—I'm chopping them down, because there is a massive list here.

**Mr. Ruston:** Are there any larger ones?

**Hon. W. Newman:** Field drainage is 17 per cent; silos 14 per cent; grain storage, three per cent.

**Mr. Ruston:** We have a bunch of silos we're not using anymore. I wish we could sell them. Many were built, and then the farmers went out of the dairy business.

**An hon. member:** Are they cheap?

**Mr. Ruston:** Yes, there are hundreds of them and in good shape.

I had one other item here I wanted to ask about. The farm tax reduction programme was already mentioned by Mr. MacDonald. This is something that has also been of some concern

to me. It's a major item when you really think of it. I think it's a very big item, and probably more so within a 30- to 40 mile-radius of any of the major cities, but I can see it in my own area.

I have had different farmers mention to me that perhaps eligibility should be based on a percentage of the person's total income that comes from farming, and I read in the budget papers that this was one of the suggestions they were looking at. I think it would almost completely eliminate that type of thing if the farmer were to pay full taxes on his house; I really think that is probably the way it should be, because at the present time a home on a farm is assessed much less, under farm assessment, than the same type of home in a built-up area, for example.

If you exempted the farmer's land only from farm taxes and put the assessment for his home on a regular base, I think that would be reasonably fair. It also would eliminate some of the talk you hear from people who don't use school buses, for one thing, but it's said that anybody living in a rural area, including the farmers, must have the use of a school bus. There's always the feeling that, "Well, I'm helping to pay for your school bus." The farmer doesn't want that. He doesn't expect to receive something for nothing. I don't think they're that way.

I think a system where the land might be exempt from taxation probably would be the key thing to alleviating this situation where many people from the city are buying land and living there. Some of the homes are pretty elaborate, and they sure do get the benefit of that taxation where others don't.

The other alternative mentioned by different people is that perhaps you should license farmers or something. Well, you license plumbers, electricians and so on. I suppose you could do it, but I don't think it would be very simple or very easy. There are different things you could look at.

**Hon. W. Newman:** You brought up a good point there. This is only a personal observation—

**Mr. Ruston:** Well, we're just discussing—

**Hon. W. Newman:** —and I don't want to pre-empt what the commission is going to hear, but the thought in the back of my mind, as a farmer myself, is whether I would want to be relieved completely of that total bill and feel that somebody else was paying that bill who didn't have an awful lot to say as the farmers per se as to wanting to pay a



bit of it. This is one of the only cautions I have, because farmers are pretty independent.

**Mr. Ruston:** That's right.

**Hon. W. Newman:** That's only a personal observation.

**Mr. Ruston:** One thing that would help, Mr. Minister, would be to assess the farm home at the same rate as in a built-up area, where now it is not. He would then be even with the other fellow.

**Hon. W. Newman:** Well, it's intended that all assessment will be going to market value.

**Mr. Ruston:** That would then bring the farmer even with the other fellow, and he really wouldn't be getting something for nothing.

**Hon. W. Newman:** He's not getting anything that he doesn't deserve, anyway.

**Mr. Ruston:** Anyway, those are things to consider.

**Mr. Lane:** Mr. Minister, I won't be very long, because I think we've been a long time on this particular section of the vote. I know it's very difficult for some of the younger members of the opposition parties to realize that any government member ever has any concerns about anything.

**Mr. MacDonald:** Let it out. Don't be self-conscious.

**Mr. Lane:** Since we are talking tonight about some things that I know a heck of a lot about, I thought maybe it would just be a good time to put the record straight, Donald, about a few things.

**Mr. Ruston:** There are nice beef cattle up on Manitoulin Island, John.

**Mr. Lane:** I was one of the fellows who wouldn't get off the Hon. Bill Stewart's back until he doubled that northern Ontario grant last year, as some of you people will remember.

**Mr. Ruston:** That's why Bill had trouble there, is it?

**Mr. Lane:** Then last fall, I got flak from people saying I'd better look after this thing, because it wasn't enough money. I checked to see what was going on, because I knew we had doubled the grant, and I found that the local committee, in their wisdom, had seen fit to double the benefits to each farmer, rather than spreading it wider afield. I think it is rather unfair for the government

to be charged with the responsibility that is dealt with at the local level. The committee really has the responsibility once the grant arrives there. I am not saying it wasn't wisely spent but I know some of my people are unhappy because it didn't go far enough to cover all their needs. Yet, as I say, I was on Bill Stewart's back fairly often until he said, "I am sure you are right. We will have to do something about this" and he did.

The other thing Mr. Wildman was concerned about was the 50 cents a pound incentive grant for cow-calf producers in northern Ontario. I will say that it wasn't an incentive grant, was never intended to be and never should be because we certainly shouldn't subsidize anybody who's not an efficient farmer. I think you appreciate that but I think one of the things that maybe you people don't quite realize about that programme which was better in other areas was that the farmer didn't have to sell his production in order to benefit from the subsidy. Also, we assumed that the calves averaged 450 lb at sale time but, in most cases, if you had a large herd, that wouldn't be the case because there would be a number of cows missed first or second time and there would likely be some young calves there.

**Mr. Wildman:** Is there any possibility that will be lowered to 400 from 450?

**Mr. Lane:** I wanted to point those things out. I had lots of flak from my farmers in Manitoulin and, as Dick says, there are some mighty good cattle raised there. I was trying my damndest to get the minister to give us another nickel a pound in northern Ontario because it is a primary industry in northern Ontario and we don't have any other cash crops there.

I wasn't able to get this in spite of my efforts but because we grow a good quality of cattle there and because we have a good method of selling cattle, we did get better than the provincial average which was very rewarding as far as I was concerned. I know I talked with a farmer at New Year's—he certainly wasn't my supporter by any means—and I said to him "How did the stabilization programme work out for you?" He said, "Well, it made the banker smile" which was a fairly good answer.

I wanted to make some of the younger members of this committee aware that the members on the government side of the House do have concerns. We do make life rough for the minister at times and we do get concessions at times.

**Mr. Bain:** What happened to Bill 96, then?

**Mr. McKessock:** The banker isn't laughing yet.

**Mr. Lane:** No, but he was smiling. That was a help.

**Mr. MacDonald:** Going on from what John said, could I ask a supplementary question? To what extent are these guidelines for the district committees which you say have autonomy in deciding how the money is going to be spent? For example, in the instance you cite, where the amount of money was doubled, it was doubled for each farmer rather than being used for a broader range of purposes. Do you have guidelines? Do you exercise at all that basic principle of government administration that there must be accountability in the expenditure of funds?

**Hon. W. Newman:** We have our ag rep on the committee in each area. He has his input to the committee. I have to agree—you don't have to tell me, John—that I hear from our own members quite regularly and they do a good job, too. Really, there are no specific guidelines. We feel the people in the area know best the needs of the area. They make the decisions. I don't care what decisions you make or whatever decision we come to in the cow-calf programme which will be announced in the next few days, some will be happy; some will be unhappy. Some will feel we haven't gone far enough; some will feel we took too high a weight for calves; some will feel we should go lower. I assume you are suggesting we get down to 400 lb?

**Mr. Wildman:** I wasn't suggesting it. I was wondering if you were thinking of doing that. I would never suggest that.

**Mr. Lane:** Don't tempt him.

**Hon. W. Newman:** There are suggestions there should be an upper limit and a lower limit and so on. All these factors were looked at and we will be making an announcement. Coming back to your immediate question, by and large, it's done by the local committee with the guidance of the ag rep.

**Mr. MacDonald:** I presume you review how they spend it?

**Hon. W. Newman:** Yes.

**Mr. MacDonald:** Suppose you saw some expenditure which you had some doubt about; do I take it from your explanation that your doubts would be expressed through your ag rep?

**Hon. W. Newman:** Yes.

**Mr. R. G. Bennett:** They submit their lists.

**Mr. MacDonald:** Before the expenditure?

**Mr. R. G. Bennett:** They submit their programmes in advance of expenditure. This doesn't go back out as a grant, the total sum. Each account comes in and is certified through the normal process here so there is accountability there as well.

[9:45]

**Mr. Lane:** Mr. Chairman, if I might continue, please. I certainly wasn't critical about the way it was being handled. I had these criticisms from farmers who have missed out on the programme because it wasn't widespread enough. When I checked up on it in my particular area, the committee saw fit in their wisdom to double the amount payable—as opposed to your report. Maybe that was the right thing to do.

I personally think the right thing to do is to leave the decision with the local people, because after all the local farmers in any district should know better what is needed and how it should be spent than we here at Queen's Park. So I certainly don't quarrel with the way it is done.

I just wanted to point out that in spite of the fact that I was very persistent to get it doubled, I personally got considerable flak last fall because it wasn't sufficient, and really they should have been talking to the local people, because they were the ones who made the decision where it was going to be spent.

I have just another clarification, and then I'm through, sir. Even though I was active in these programmes, I didn't send any fliers out to say that I was. I wasn't looking for credit, I was looking for some benefit for the farmers, and I got some flak in return. So all things are fair in love and war. Thank you, sir.

**Mr. G. I. Miller:** Under the \$175,000 item for rabies indemnities, what does that cover? Does that provide rabies shots for the areas?

**Hon. W. Newman:** No. Rabies indemnities are for replacing animals that died from rabies.

**Mr. G. I. Miller:** Do you give any support through this ministry, or is that done through the federal ministry?

**Hon. W. Newman:** What do you mean?

**Mr. G. I. Miller:** For the protection of animals.

**Hon. W. Newman:** Rabies shots to the animals?

**Mr. G. I. Miller:** Small animals.

**Hon. W. Newman:** I don't think there is any assistance through our ministry, is there? I think that is the federal health of animals branch.

**Mr. G. I. Miller:** A federal project?

**Hon. W. Newman:** Maybe our director of the veterinary services branch, Dr. McDermid, might have some comment.

**Dr. McDermid:** Where the federal health of animals branch determines that there is a high incidence of rabies in an area, they do hold free rabies clinics for pets. This does depend upon the situation in the particular area. It does not involve provincial funds.

**Mr. G. I. Miller:** I know there was quite a controversial issue in the city of Nanticoke in my riding this past year over the fact that the health inspector or health officer didn't want to support a clinic to any great extent, but they did persist and they were able to provide the clinic.

I guess perhaps we discussed this the other night, but is there any provincial assistance for dog or wolf damage?

**Hon. W. Newman:** You mean wolf damage?

**Mr. G. I. Miller:** Wolf damage.

**Hon. W. Newman:** Oh, sure, that's all provincial.

**Mr. G. I. Miller:** And on what basis?

**Hon. W. Newman:** So much per animal—I forget exactly how much it is for each kind of animal.

**Mr. G. I. Miller:** I mean for control of wolves.

**Hon. W. Newman:** For control of the wolves, yes. I met with the Ontario Cattle-men's Association the other day, and I think somebody brought this up the other night.

**Mr. G. I. Miller:** Yes, because it was discussed.

**Hon. W. Newman:** We have suggested that because of the particular problems in this specific area of wolves, that we work with the predator control branch of the Min-

istry of Natural Resources. I said I would be glad to pursue it with them. If there are any specific cases where they have a particular problem, we would certainly contact the Minister of Natural Resources (Mr. Bernier). But the predator control branch comes under his ministry.

**Mr. Bain:** Do you compensate for animals that are lost through predators?

**Hon. W. Newman:** Yes—what do you mean "lost"?

**Mr. Bain:** Killed.

**Hon. W. Newman:** Killed? Oh yes.

**Mr. Lane:** I wanted to speak on that the other night, and the time ran out.

**Mr. Bain:** Do they have to produce the carcass?

**Hon. W. Newman:** Yes.

**Mr. Bain:** Isn't that a bit of a problem?

**Hon. W. Newman:** Sometimes it can be a problem if you have large acreages, not knowing where the animal was killed. It is a matter of keeping tabs on your herd, and it can be a problem.

**Mr. Bain:** Is there any possibility, because of the problems you cite with large acreages, of not having to produce the carcass, because sometimes it is just not possible?

**Hon. W. Newman:** Quite often it is not possible to produce the carcass, and there could be many other reasons why the carcass was not available. For instance a cow could slip a calf dead and it could be taken away by an animal before it was discovered by the owner. But certainly it's very awkward for us, as a ministry, to pay unless we can see some evidence that an animal has been killed by a wolf or dogs or whatever else it may be. There has been a bit of a problem over that; there's no doubt about it. But I can't see any way we can possibly justify paying out unless we have some real evidence that the animal was killed by a wolf.

**Mr. Bain:** Do you send somebody out to the site? Do they have to bring in the animal?

**Hon. W. Newman:** No. It is done through the municipalities.

**Mr. Bain:** They send somebody out to check?



**Hon. W. Newman:** There is also an appeal procedure; they can appeal to our provincial inspectors if they are not satisfied with the compensation that has been allowed, and we do send somebody out. I think we only had very few appeals last year.

**Mr. Lantz:** I don't know how many appeals there were, but we have two provincial inspectors.

**Mr. Bain:** How many individual claims were there?

**Hon. W. Newman:** How many individual claims were there last year? I would have to look that up.

**Mr. Wildman:** If a calf is killed do you pay the market value?

**Hon. W. Newman:** We pay up to \$500 for a horse or a cow and up to \$100 for sheep, pigs and goats.

Last year we paid out a total of \$111,000—almost \$112,000.

**Mr. Lane:** Mr. Chairman, I was so rudely interrupted—

**Mr. Bain:** I am sorry, you rudely interrupted me and I rudely interrupted Mr. Miller, so we all committed the same sin.

**Mr. Lane:** However, as the chairman knows, I was on the speakers' list the last time and I let my turn go because of the time.

This is rather important. We had some very vigorous debates in the House around 1972-1973 about the wolf bounty and I, for one, wanted it to be left on. We raise a lot of sheep in Manitoulin, and we have some of the best deer-hunting country in the world up there, and we wanted to keep it that way.

**Mr. MacDonald:** If it is any consolation to you, so does the minister, but that's a personal view.

**Hon. W. Newman:** I didn't say that. I indicated that.

**An hon. member:** What's your position, Donald?

Interjections.

**Mr. Chairman:** Order, please.

**Mr. Lane:** It was brought out in the debate, as Donald mentioned the other night, that there were large groups of people in this province that didn't want the wolf to be a hunted animal. Also, there were large groups

of so-called sportsmen who were going up into the north part of the province with their airplanes in the wintertime, shooting a lot of wolves and having a lot of fun at the expense of the taxpayers. The wolf bounty system really wasn't working that well.

The minister and I exchanged several words in the House, and I finally got him to say for the record that if there was any area in this province that was having a particular problem with wolves, whether it be killing cattle, sheep, deer or what have you, and it was brought to the attention of Natural Resources, they would put in trappers and hunters and bring the wolves down to a proper level in that area. I've used it several times in my area to very good advantage for my farm people.

We were discussing this at some point the other night, and someone asked why municipalities can't pay a bounty. Well, as far as I know, municipalities can pay a bounty. On Manitoulin Island right now the municipalities are joined together, and they pay \$100 for every wolf that is caught on Manitoulin Island—but that is a municipal bounty, not a provincial bounty.

**Mr. Reid:** Have they paid for you yet?

**Mr. Chairman:** Order, please.

**Mr. Lane:** I am not dangerous now; I'm too old. They should have paid for me at one time.

**Mr. Wildman:** There are very few trappers who go after wolves.

**Mr. Lane:** After this was changed—to respond to Mr. Bain's question about how the animal is evaluated and so forth—the people from the Ministry of Natural Resources had to do the evaluating, but in some cases the farmers weren't happy, because they thought that the ministry people didn't understand the farmers' problems and weren't sufficiently concerned about whether the farmer was losing money or not.

As a result, it was sort of worked out that the Ministry of Agriculture and Food would take over the responsibility and that the local evaluator in the municipality, who was used to evaluating animals lost because of dogs and other causes, would do the evaluation and be able to put a truer value on the animal that was lost. Obviously it was going to be to the benefit of the farmer to switch it from one ministry to the other, and this is what happened. I just wanted to put that on the record.

**Hon. W. Newman:** I would like to put something else on the record: It was due to a great deal of concern regarding bear damage to livestock, which was brought to bear on me this year by some of the fellows on our side of the House—

**Mr. Wildman:** I wrote you about that.

**Mr. MacDonald:** Charles Godfrey wrote you the other day that he has more trouble with bears than with wolves.

**Hon. W. Newman:** Just to set the record straight, we are now covering damage to livestock by bears. I know there is concern all the way around; that's why we brought in the regulation.

**Mr. McKessock:** Is that when you closed down the body-rub shops?

**Mr. G. I. Miller:** Mr. Minister, I would like to thank the member for bringing us up to date on the history of the wolf bounty or dog bounty and how it has been controlled. I do appreciate that. I would like to make you aware that I think there are quite a few wolves in my area of Haldimand-Norfolk and I think they do pay a bounty. They may not be true wolves but they have certainly caused considerable problems. They are hunted every year by hunters who know what they're doing and it has helped to keep things under control.

Getting back to tile drainage and speaking on behalf of my riding, I would like to point out that Haldimand county in particular hasn't used tile drainage to any great extent until these past few years. I think it was mentioned by the member across the table that this perhaps ought to be taken into consideration, because the need is there. It is beginning to be developed and I think it must be encouraged. If the money is available I would hope you would take that into consideration.

**Hon. W. Newman:** We had to set priorities in our budgets and we're aware of the facts throughout the province. I think I've heard from pretty well every member who has anything to do with agriculture, and I think the efforts are all from your municipalities.

**Mr. G. I. Miller:** Yes. I think you did indicate that they would be taken care of up to April 1?

**Hon. W. Newman:** No. I want to make it very clear that we are concerned primarily—I can't give you the specific date of April 1 because there's a lot of tiles in the fields

which were not put in last fall and we have to take those into consideration. Also, they may not have put their application in as early as somebody else may have, thinking that it was probably open-ended, so we have to take that into consideration also.

**Mr. G. I. Miller:** But any application put in last year will be given consideration in 1976 if there is money left from other areas?

**Hon. W. Newman:** We'll do the best we can to accommodate all the farmers in the best way possible so that we don't create problems because of the tiles lying in the fields. There are farmers who have had them there for two years now and because of wet weather in some areas last fall they didn't get the tiles in.

**Mr. G. I. Miller:** There is no guarantee for any application up to April 1? There's a possibility they will be left?

**Hon. W. Newman:** That is a possibility for some of them.

**Mr. G. I. Miller:** How soon will that—

**Hon. W. Newman:** As I said before, it's an ongoing process. As I mentioned, we were talking about—I forget the name of the township; I'm sorry—Hudson township and the problem there. There is a township, I won't mention the name, right below it; the reason I won't mention the name is that they've got an allocation of \$10,000 but there's been no application from there for those funds. I assume those funds will come back and be re-allocated.

**Mr. Johnson:** I have one—it isn't a small problem and it relates to ducks and geese around the Luther Marsh. If the crops are late and the ducks come in at about the same time there's quite a lot of damage done within a few miles of the Luther Marsh through thousands of ducks landing in the fields. Is there any compensation for the farmers for this loss?

**Hon. W. Newman:** Not to my knowledge. The only thing is crop insurance but there is no specific—I can't speak for Ontario but I know in western Canada they give them permits sometimes to keep them off. I don't know if they do it in Natural Resources here or not; I'd have to ask. Would somebody tell me if there is anything done to help keep the birds off in the way of special permits? I know what I'd do if I was a farmer in that area, but I'm not sure if I'd be breaking the law or not.

I'll have to ask our people to answer that because I know it's a problem. It can be a big problem as it is in western Canada. To my knowledge, there is no compensation, although they are covered by crop insurance for yield. Maybe somebody would like to comment on whether we have got anything or done any research on that.

**Mr. Reid:** Could you direct those ducks to northwestern Ontario? Rainy Lake, for instance?

**Mr. Bain:** What are they going to eat up there?

**Hon. W. Newman:** It is a problem and I'm aware of the fact that it is a problem. I know it can become a very serious problem as the birds come along. By the same token, I suppose the Luther Marsh is world famous because the birds are there. They do create some damage and I don't know how you would solve the problem, to tell you the honest truth, but let's have a look at it.

**Mr. Johnson:** They literally destroy hundreds and hundreds of acres of crops when they come in. It happens only about every third year but when it does happen it's quite a loss to the farmers.

[10:00]

**Hon. W. Newman:** Let's have a look at that. I'd like to get a report from our people on exactly how much damage is actually done; maybe we'll do some work on it and see. There's nothing more frustrating when there's no open season on the birds. You are allowed to shoot predators on your property, but I know those are migratory birds under the Migratory Birds Act and you are not allowed to shoot those until the season opens.

**Mr. Evans:** There are other areas besides marshes; there is the Tiny Marsh with the same problem.

**Mr. MacDonald:** They are entitled to be covered under crop insurance?

**Hon. W. Newman:** If the crop is insured for 90 bushels to the acre, and they don't get that yield, then they are paid by crop insurance.

**Mr. MacDonald:** Surely that is the way to solve that problem.

**Hon. W. Newman:** Yes, but the trouble is the crop insurance works out on a five-year basis, but if it happens only every third year it wouldn't hurt them that much. Of course,

as you know we are doing some experimental work now through the Ministry of the Environment. We are working on ways of dealing not only with the ducks and the geese, but also on how to deal with the blackbird situation and the corn crops, to try and keep the birds out of the corn fields. There is always a very critical period of about two weeks when serious damage can be done to corn crops. The Ministry of the Environment is now funding some experimental work to try and find the best way to deal with these problems.

**Mr. MacDonald:** I would like your research programme to come up with a solution to the problem of raccoons that get into my corn.

**Mr. Reid:** You've got a lot of corn, anyway. They could feed on some of your speeches.

**Mr. MacDonald:** At least mine are corn. Yours are—

Interjections.

**Mr. Wildman:** It is the same situation regarding bears destroying crops. Unless the farmer has crop insurance, there is no compensation at all. You are covered if bears damage livestock; but as far as bear damage to grain goes, for instance, there is nothing except crop insurance.

**Hon. W. Newman:** Only under crop insurance. By and large you're talking about grain, but blueberries and other fruit can also be damaged by bears.

**Mr. Wildman:** It doesn't happen very often, but in our area in a very dry year an awful lot of bears come out of the bush and into the farm areas—and right into Sault Ste. Marie, as a matter of fact. The police, of course, have to shoot them. But last year they caused a great deal of damage to crops.

**Hon. W. Newman:** The same thing happens with other areas. Market gardeners near woods have bears come out and damage their crops. There is a special committee—the Avian, Mammalian and Pest Control Committee—which looks at all these particular matters. We have our staff on it, and so does Environment and Natural Resources.

**Mr. Wildman:** Well, Natural Resources play a role in this. They have a programme each year when this happens. It has happened two or three times that I can remember, where they try to trap them. So you are involved with the live trapping of bears—



**Hon. W. Newman:** No. We have the committee I mentioned, which includes Natural Resources, Environment and ourselves—and it is looking at all these problems on an ongoing basis.

**Mr. Wildman:** Okay. I have just one short question regarding the grants for capital purposes and farm development. I am not sure this comes under it, but I think it does; we were talking about this earlier. Is it possible for a farmer to get grants for line fencing under that programme?

**Hon. W. Newman:** I believe it is, yes.

**Mr. Wildman:** I have just one short question on this and it may be that you can't answer it quickly; I don't know. In the Act, there is some problem I think with the interpretation of the terms "unoccupied" or "occupied" lands. There are some cases in my area where there are farms that border on bush land—quite a few as a matter of fact—and the land next door may be Crown land in some cases, and in other cases it is owned by people who may live in Michigan or Ohio—

**Mr. MacDonald:** Or by the ACR.

**Mr. Wildman:** The ACR or CP in some cases. Who determines who is responsible for building line fences in those areas so the cattle can be kept from wandering into the bush?

**Hon. W. Newman:** Under regulations in the Line Fences Act it is decided which portion of fence belongs to which person, and they have a responsibility for fence maintenance. Now, I must admit there have been some problems with absentee owners. At this point in time, that Act comes under the Ministry of Treasury, Economics and Intergovernmental Affairs and I know they're looking at possible revisions in the Line Fences Act which would probably make it easier to deal with absentee owners.

**Mr. McKessock:** Do you mean they would be stiffening up the Act?

**Hon. W. Newman:** They're looking at the Act now.

**Mr. Wildman:** I'm thinking of a particular case and I won't go into the details of it but it has been one of long-standing. The fence viewers have come out to look at it and they seem to be having some difficulty in determining who's responsible. The farmer doesn't particularly want to have to go to court; he can't afford it.

**Hon. W. Newman:** The old rule of thumb of the farmer—I think Ron will bear me out on this—is you're standing so, when they're facing from the building the fence to the right is yours and to the left is ours. It depends on the individual arrangements. On my own farm, I'm getting parochial, I said to my neighbour, "I'm having somebody build mine because I don't have time to build it myself." He said, "You take the bad half because it won't cost you any more and I'll take the good half to build." It turns out it added to mine although it doesn't cost me any more. Mine is on the left and his is on the right. So it's often by mutual agreement. The trouble is when the farmers sell. Between farmers, by and large, it is a verbal agreement and their word is always as good as their bond and that's fine until it is sold, maybe to an absentee landlord.

**Mr. Wildman:** That's the main problem.

**Mr. MacDonald:** Is the fence viewer's decision final? Is it subject to appeal?

**Hon. W. Newman:** It is subject to appeal in the courts.

**Mr. Wildman:** What is the role of the ag rep in a dispute like this? If the farmer isn't satisfied with what the municipal fence viewers say, can the ag rep get involved?

**Hon. W. Newman:** No, unless he has some knowledge of the particular farm. When the fence viewers are appointed, it is up to them to make the decision.

**Mr. Wildman:** Okay. One other short question in relation to this: In unorganized territory, where there are no municipal fence viewers, who, if anyone, decides?

**Hon. W. Newman:** That's a good question. I'll have to ask somebody else to answer that.

**Mr. McKessock:** Would it not be up to the council to appoint them?

**Mr. Wildman:** There is no council. I'm talking about unorganized communities.

**Hon. W. Newman:** I don't have the Act here and I really can't answer your question, unfortunately.

**Mr. Wildman:** I have it and it doesn't seem to—

**Hon. W. Newman:** The Act is administered by TEIGA. It is not administered by my ministry.

**Mr. Wildman:** I'll go after them then.

**Mr. Chairman:** Is there any further discussion on item 4 of vote 1702?

Vote 1702 agreed to.

On vote 1703:

**Mr. MacDonald:** One rather quick question. I was rather intrigued with a brief I got a few weeks ago from Prof. Franklin H. Theakston, of the school of engineering at Guelph University, on agricultural buildings in steel. I understand this was going to be presented to the government, too. It's a proposal they have worked out in conjunction with the steel companies—Dofasco, Stelco and Algoma—who are willing to build packaged steel buildings.

It struck me as a very good idea but it is the kind of thing which would require getting it out with the information the ministry would normally be providing to farmers. Have you received this brief? Have you considered this? Are you thinking of making the information available in your normal publications?

**Hon. W. Newman:** May I say that at the present time, I have just heard about the report. I haven't seen it and I don't know the details of it, but there are all kinds of packaged steel buildings now for farms. They are well advertised in all the farm magazines and papers all over the province—all kinds of prefabricated steel buildings. You can put them up yourself or you can have them put up. It is a highly competitive business actually today.

**Mr. MacDonald:** This must be something a little different because they are making proposals for sort of components.

**Hon. W. Newman:** I think what you are probably talking about is the pre-issued barn with —

**Mr. MacDonald:** Components.

**Hon. W. Newman:** Yes, with steel trusses and made completely of steel. Is that not what you are talking about? I haven't seen the details of it but certainly our research people—like Dr. Rennie here—I am sure, are fully aware of the situation and probably evaluating it. Are you evaluating it? Wait a minute; we'll get a note and find out exactly what was in the report because I haven't seen the report.

They've done some work on this at Guelph over the last five years, in co-operation with Stelco. If any new thing is proven to be satisfactory, I'm sure we're quite prepared to

make the information available to the agricultural people.

**Mr. MacDonald:** I don't want to take any more time on it; I just want to say that it is a legitimate item for information to farmers in your publications, rather than just advertising by the company.

**Hon. W. Newman:** No, as soon as something new comes out that's good for the agriculture community, it's made available to the farmers either in the form of bulletins or through the ag offices. There are all kinds of farm building plans and things that would be made available.

**Mr. Wildman:** Is Guelph looking at buildings that are of all-wood construction, rather than looking at different kinds of component buildings for hogs and so on?

**Hon. W. Newman:** We are now getting into the research vote, whatever it is.

**Mr. Wildman:** Okay, fine.

**Hon. W. Newman:** I don't care.

**Mr. Wildman:** No, I'll leave it.

**Hon. W. Newman:** It's vote 1705. We're getting into the research end of it. If you want to do that, it's up to the chairman to decide, but I thought we had decided we would go vote by vote.

**Mr. Chairman:** Mr. Riddell is next, followed by Mr. Conway then by Mr. McKessock.

**Mr. Riddell:** Mr. Chairman, is ARDA buying much land now to assist farmers who wish to go out of the business or to assist farmers who wish to enlarge their holdings? If they are, what is ARDA paying for land?

**Hon. W. Newman:** Under the federal-provincial agreement, they are now allowed to pay up to \$350 an acre for land for farm enlargement. As you will notice, our budget has been cut somewhat this year. I have been trying to make arrangements to meet with Mr. Lessard, the Minister of Regional Economic Expansion in Ottawa. As a matter of fact, I was supposed to go to Ottawa yesterday, Tuesday, but it was impossible.

We want to discuss ARDA agreements because we feel we are not getting our fair share of federal funds in the Province of Ontario. I'm not being difficult when I say that; we want to go down there and try to work it out with them. Certainly we have—how much do we have his year?

**Mr. R. G. Bennett:** Two million dollars has been committed.

**Hon. W. Newman:** Two million has been already committed under this programme for farm enlargement or for buying up of these farms. By the way, if there is nobody in the immediate area who wants to farm some of these farms, or if it's not practical for anyone to farm them, they are turned back to Natural Resources as Crown land.

**Mr. Conway:** Mr. Chairman, I have two or three brief comments about ARDA, which has a fairly direct bearing in many respects on Renfrew county.

My first comment would relate to the situation which I sort of walked into subsequent to September, 1975; it is, something that you and I have talked about before, Mr. Minister, the creamery situation in Eganville. That whole situation was an EODC proposition, but part of it subsequently came with ARDA and its relations in the case of the Pembroke creamery. In other words, ARDA came in and supported the Pembroke creamery operation, which had to take some of the cream producers who were displaced by what happened at Eganville.

My first question is of a general nature: What sort of relationship do you see as developing between, let's say, two very similar kinds of bodies in many respects, as I have seen them operate over the course of the year, the EODC and ARDA? What kind of a liaison is there? What kind of tactic are you following to make sure that both arms, basically doing the same kinds of things, are co-ordinated?

**Hon. W. Newman:** Yes, we do co-ordinate with the EODC or NODC. In many cases they will apply to EODC for a loan and they will also apply for assistance through the ARDA programme, so we work with them. Each one, of course, is considered on its own merits. I can't give you the full details of this specific case you are talking about, but quite often they will get an EODC loan for a project as well as an ARDA grant.

[10:15]

**Mr. Conway:** Just from the general point of view of agricultural planning in a situation like Renfrew county, which was very significantly involved with the activity of the Eganville creamery, it seems unfair in a sense to put ARDA in the position in which it found itself as a result of what happened at Eganville. They closed out the creamery operation and then found themselves with 450 producers most of whom were in the county and many of whom had nowhere to go.

Because government is moving in that direction—we have seen Designs for Development coming through TEIGA which reflect much of what your ARDA programme is suggesting—I was concerned to make sure that there was this effective planning. I wondered if ARDA had in any way been involved with the potential of the effect of giving the grant to Ault Foods, which, once it took over at Eganville, didn't take very long to close the operation down.

**Hon. W. Newman:** Yes, I remember this. I stand to be corrected by my staff but I think that was owned by Cow and Gate before, is that not correct?

**Mr. Conway:** Right.

**Hon. W. Newman:** There was a problem with Cow and Gate, as you are well aware, and I don't want to go into the details of it. I have had the figures presented to me and it was a matter of having someone, I guess, which happened to be Ault Foods, which was prepared to come along and buy out the total assets of Cow and Gate to keep the operation going in the eastern part of the Province of Ontario. That is the case in question.

They did buy it out and none of the shippers, to my knowledge, lost a market. There was a problem for a period of time because I think the Pembroke loan wasn't quite ready and they had to keep the Eganville creamery. There was a little space in time when we were somewhat concerned but it finally got sorted out. Here we worked through not only EODC and ARDA, we worked with the Milk Marketing Board, too, to make sure the shippers were taken care of as far as their part of it was concerned.

**Mr. Conway:** I am thinking of it from the point of view of a cream producer in Renfrew county who has dealt, let's say, with the Eganville creamery over a number of years. He has seen that creamery, regardless of ownership, get some very substantial financial assistance from the Province of Ontario and, I think, probably other levels of government as well and by the end of 1975, he finds himself with no market at Eganville.

In a general kind of way it sort of makes me concerned about what ARDA is trying to do and, in this case, what the EODC may be trying to do. It seems from the point of view of financial planning in the agricultural sector—using that Eganville creamery as an example of the position they put ARDA in—that it is the kind of thing we certainly don't want to see very much of if it possibly can be avoided.

**Hon. W. Newman:** What could have happened is it could have been consolidated some



time back. I don't want to get into the management of Cow and Gate and so on because we all know the problem there and, I guess, we should be very pleased that somebody did come along to bail the situation out. There could have been consolidation there some time ago as you well know.

**Mr. Conway:** My second note deals with another very popular involvement which ARDA has in a county like mine where there is participation in the forest sector. The question I would ask would be one relating to the disposition and liquidation of the—recently in this past winter in Achray there was a fairly substantial ARDA project which involved quite a number of people working at clearing timber and in bush operations. There has been some comment from people in my riding as to what sort of regulations are there governing the disposition of what is cut and cleared in that kind of—

**Hon. W. Newman:** There are certainly guidelines set out. In this specific case I might ask Herb Crown if he could tell us. Do you know that specific case? Maybe you could give the details on that specific case.

**Mr. Crown:** There is a joint relationship we have with the Ministry of Natural Resources which determines the areas in which they wish to use this programme. It is confined to Crown lands only—the type of silviculture treatment used is determined by the Ministry of Natural Resources. ARDA's function is the selection, with the local municipality, of the people to be employed on it. We make the allocation of the funds for the total programme and the operations are put in certain districts. If they want to have some money for Achray and so much for Denby that is a local decision.

**Mr. Conway:** What about the allocation of the resources a project like that ends up with, if you cut X number of units of whatever it was? There has been some concern expressed by certain people in my area that regulations may not be strictly adhered to. In fact, it has a political dimension to it as well, you know, that I'm not in a position to know about.

**Mr. Crown:** Any of the harvestable material that is merchantable is sold to local mills, again through the Ministry of Natural Resources, at going market rates.

**Mr. Conway:** Obviously then, in that aspect, my questions probably would be more

properly directed to the Minister of Natural Resources, to whom I will take this concern because I have some suspicions on that operation.

What, Mr. Crown, is the state of Mount Madawaska right now as you know it to be?

**Mr. Crown:** Could you be more specific, sir?

**Mr. Conway:** I refer to the situation where much of the investment involved ARDA. You know that story very well. I know. The "four seasons" concept of that operation, in fact, has not materialized. The summer aspect of the operation apparently is not going to go anywhere. I'm just wondering, for my own edification, what is the situation with respect to completing that conceptual plan?

**Mr. Crown:** We have no plans at all for any further expenditure on that programme. We completed the ski hill and the ski tow. Some money was spent on the golf course, mostly through the federal local incentives programme; we did not support that, as a matter of fact, and I think they have had to close it down. The winter facility has been reasonably economical—

**Mr. Conway:** Very successful.

**Mr. Crown:** —but no proposal has been put to us for any other "four seasons" concept at all.

**Mr. Conway:** You are quite right, the winter operation has been very successful, but I'm just wondering whether that kind of an enterprise teaches us something. The minister quite understandably, I think, pointed to the problems in these multi-government activities, and I'm wondering whether it really gets impossible when LIP is coming in one corner, DREE coming in another and ARDA at another angle. I know the board of that operation very well, and by the end of it they were very frustrated. You know Ron Briggs; you probably knew him very well—he was simply befuddled.

In terms of the general level of government involvement, I just begin to wonder about the whole concept. At present we're involved with other ARDA operations and provincial programmes; there's our Design for Development; and there's a squabble about the GDA. ARDA again is involved in that kind of planning, or will be, at a certain level. When I look at Mount Madawaska, and I see the concept in which

ARDA was involved, I know it's not going to work. A great number of dollars were expended on that summer operation and it has zeroed. I'm just wondering what kind of lessons you see flowing from this. Am I right in suspecting that this multi-government involvement is not really working and that perhaps we should withdraw from some of that kind of activity?

**Hon. W. Newman:** I'm not sure—were we involved in the summer aspect of it or just the ski plans?

**Mr. Crown:** No, we were not involved in it. We were involved only in the installation of the winter facilities. You mentioned DREE; anything DREE has put in was put in through the ARDA agreement, Mr. Conway. There's local autonomy to the extent that they have an incorporated group there, and if they apply for other federal or provincial government programmes we can't say, "You can't do it." That's up to them.

**Mr. Conway:** I'm thinking of the provincial government's commission for the Marshall Macklin studies, which begin with a conceptual design, because whatever portion of ARDA dollars is involved is plugged into a general hole. I agree with you that ARDA specifically wasn't involved in the summer project, but that becomes a semantic kind of distinction, because in this case there is a general plan, by Marshall Macklin, into which ARDA's participation is integrated. Quite frankly, that conceptual scheme now has been undercut by the difficulties of the summer aspect.

I just wonder—and maybe I'm taking too much time on this—in terms of the general level of ARDA's involvement in trying to do some of the things outlined in these kinds of pamphlets, whether that confusion can be avoided or refined to a lesser extent.

**Mr. Crown:** Are you asking if we have learned some lessons from the Madawaska experience? Yes, we have.

**Mr. Conway:** What would they be, in one or two phrases?

**Mr. Crown:** I think there would be a clarification of what all of the federal or provincial inputs would be before they proceed on it, so that everyone, whether it's the LIP grants at that time, or other winter works programmes and ARDA, we would know what each person's input was going to be before the commencement.

**Mr. Conway:** There is one final point about the federal aspect and a comment about ARDA. I think it is fair to say that much of DREE's involvement in the kinds of things in which ARDA gets involved—but not necessarily the same project—has literally been disastrous in Renfrew county. From the point of view of government getting involved in the economic activity of a local area, where the activity is very similar, the government couldn't hope to get a worse reputation than what DREE has been able to create. And I am thinking of the town of Renfrew in particular.

I am wondering if you have felt that this has hurt the ARDA scheme. I know a lot of people who might have been thinking of going to ARDA, quite frankly wouldn't now because of this reputation. The average person doesn't make the distinction; it is just a government with a bag full of money. I am just wondering if you share my concern about DREE and the effect it has had on ARDA?

**Hon. W. Newman:** If I just may make a comment; on all projects that ARDA becomes involved in—and DREE funds, of course, are part of ARDA—the total picture is examined. I am thinking of a particular plant in eastern Ontario. We know how much money is going in from ARDA, how much will be going in from EODC and how much capital is coming in from the company itself. It is more of a co-ordinating operation. But getting back to LIP; you can even have it all co-ordinated and still have a LIP grant—sometimes that can happen. Or, in some cases, maybe even a Wintario grant. But we really are trying to co-ordinate all the projects now before they go out, so to speak. We know how much equity is shared by the principals involved.

**Mr. Conway:** I guess what I am saying is that when a project which goes out into the market, so many various federal and provincial government agencies get involved in the thing that quite frankly it doesn't have a hope of succeeding. Maybe that's an unfounded bias that I have, but as you know—

**Hon. W. Newman:** We have a pretty good working relationship with the feds on that.

**Mr. Conway:** But you are not happy with the dollar allocation as far as—

**Hon. W. Newman:** We are not getting what we feel is fair. I don't want to get into the area of allocations and what we get and

what some other provinces get; and what we should be getting and what we are not getting. That's when I get political. So let's not get into that aspect of it at this point in time. We are being shortchanged; let me put it that way.

**Mr. McKessock:** Are these ARDA loans available for building a slaughterhouse?

**Hon. W. Newman:** It depends where and under what circumstances. It would have to be looked at on an individual basis. Yes, it is possible to use ARDA funds for that type of project.

**Mr. R. G. Bennett:** It is only in northern Ontario.

**Mr. McKessock:** It talks in here about Grey and Bruce, too.

**Mr. Bain:** That's getting pretty far north.

**Mr. Eaton:** It is the far north.

**Mr. McKessock:** It takes in Grey county, right?

**Mr. Crown:** A grant has been made to the livestock sales yards in the Grey-Bruce area; that is for the Wiarton sales yard.

**Mr. McKessock:** What about a slaughterhouse?

**Mr. Crown:** Our policy on slaughterhouses was established a number of years ago. Our assistance is restricted to one per territorial district; and it does not apply in southern Ontario.

**Mr. McKessock:** Oh, it doesn't apply in these counties. What about a slaughterhouse with a sausage processing plant—does that make a difference?

**Hon. W. Newman:** Well, what are you talking about is a complete plant where they would actually kill the animals and process them.

**Mr. McKessock:** As well as killing they would also make sausages. It makes a difference under the ODC.

**Hon. W. Newman:** Yes, because of the number of jobs; it is job-oriented.

**Mr. McKessock:** Right. ARDA is paid on so much per job, too, right?

[10:30]

**Hon. W. Newman:** I suppose if we are talking about ODC, here in the ODC area or the NODC area—I forget where the line is drawn—if you are in the ODC area, it would be

straight from ODC. ARDA would not become involved.

**Mr. McKessock:** I thought from what the last speaker said that ODC and ARDA were compatible; that you could get both.

**Hon. W. Newman:** Yes, in northern Ontario and in eastern Ontario.

**Mr. McKessock:** Just in northern and in eastern Ontario? Not in southern Ontario; you can't have both?

**Hon. W. Newman:** That's right.

**Mr. McKessock:** You can have one or the other or are you saying not ARDA?

**Hon. W. Newman:** No. You can have both in northern and eastern Ontario but you can have only one in the rest of Ontario. It depends on which areas the federal government has designated under DREE. For instance, in the case of Mr. Conway's area, that has been designated under DREE. I think in the case of your own area, if I am correct, you have not been designated under DREE; I don't believe.

**Mr. McKessock:** For ARDA? Is this the ARDA programme you are talking about?

**Hon. W. Newman:** DREE, which is part of ARDA. Is that correct, that—

**Mr. R. G. Bennett:** We get our DREE money through ARDA.

**Hon. W. Newman:** Does it say the county of Grey? Is it included?

**Mr. Crown:** The county of Grey is included in the rural incentives programme. The purpose of it is to create employment for rural people and if there is a processing facility involved, it is eligible—a food processing facility. What we do is review it with a committee of the Food Council, the ODC, ourselves, the veterinary services branch and, in some cases, the milk industry branch. If it looks like a feasible programme we submit it for Ontario approval. It is related to how much employment it will create for rural people.

**Mr. McKessock:** Is it \$5,000 for each job created on that basis?

**Mr. Crown:** That's a guideline we use, Mr. McKessock; it doesn't exceed \$5,000 but there are judgements made, really, on the ability of the owner to do the financing of it. That is sort of a guideline, we don't exceed \$5,000 per job.



**Mr. McKessock:** It would be up to the owner to decide whether he should take an ARDA loan or an OBIP loan from ODC then?

**Mr. Crown:** That's his choice. If he goes to the Ontario Development Corp. and it is a food processing industry, it comes back to this agricultural and food industry committee. Again, it is looked at by the Food Council and ODC and other branches of the ministry which may be involved to consider its viability.

**Mr. Chairman:** It being 10:30, is the committee quite prepared to meet tomorrow after the question period?

**Mr. MacDonald:** If there is any possibility of finishing the estimate before we leave, I personally would favour it. Just a minute now; maybe I am crossing myself up.

**Mr. Conway:** Bring the cows back to York South to make sure.

**Mr. MacDonald:** There is lots more agriculture in York South—you don't have to be a hen to lay an egg, you know.

**Mr. Conway:** So we have noticed .

**Hon. W. Newman:** Can I ask the committee, with all parties here—not that I care how long I stay here—have you any idea how long we will be? It is just that I would like to get to Ottawa to see Mr. Whelan as soon as possible about our 30 years of agricultural planning.

**Mr. MacDonald:** Not this week though?

**Hon. W. Newman:** No, not this week.

**Mr. MacDonald:** Is it possible for us to sit tomorrow and even Friday and clean the blessed thing up?

**Hon. W. Newman:** I am at your disposal. I just want to get some idea so I can make some plans tomorrow to get to Ottawa to see Mr. Whelan about a couple of urgent matters.

**Mr. Riddell:** We are always available and ready to serve.

**Hon. W. Newman:** I know, but I want to get some idea if you think there is a possibility that you are prepared to finish this week.

**Mr. MacDonald:** Yes. I would move that we meet tomorrow after question period and, if necessary, on Friday at 11 o'clock. I would think there is a fair chance—presumably we might even have tomorrow evening, too, if necessary?

**Mr. Chairman:** Yes, I would think so.

**Mr. MacDonald:** Actually, I think if we had tomorrow afternoon, tomorrow evening and Friday morning, we could with assurance clear it up.

**Hon. W. Newman:** So I can make some plans for early next week?

**Mr. Chairman:** The committee will meet tomorrow afternoon after the question period.

The committee adjourned at 10:35 p.m.

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**Ministry of Agriculture and Food officials taking part:**

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 Lantz, K. E., Assistant Deputy Minister, Production and Rural Development Division  
 McDermid, Dr. K. A., Director, Veterinary Services Branch  
 Sewell, R., Executive Director, Finance and Administration Division







*Government  
Publications*

# Legislature of Ontario Debates

**SUPPLY COMMITTEE—2**

**ESTIMATES, MINISTRY OF  
THE SOLICITOR GENERAL**

OFFICIAL REPORT — DAILY EDITION  
Third Session of the 30th Parliament

**Wednesday, June 16, 1976**

Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

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A list of the speakers taking part in the debates in this issue of Hansard appears, in alphabetical order, at the back of this issue.

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# LEGISLATURE OF ONTARIO

## SUPPLY COMMITTEE

WEDNESDAY, JUNE 16, 1976

The committee met at 8:10 p.m. in committee room No. 2.

### ESTIMATES, MINISTRY OF THE SOLICITOR GENERAL (continued)

**Mr. Chairman:** The chairman sees a quorum. Having missed this afternoon, what is the pleasure of the committee? We are on vote 1504. If it were the intention or the pleasure of the committee, we could revert to vote 1503, the Ontario Police Commission, and handle it tonight. Or do you want to stick on vote 1504, which is the management programme of the Ontario Provincial Police? We'll do whatever the committee wishes.

**Mr. Singer:** If I might suggest, Mr. Chairman, since we're into item 1 of vote 1504, let's deal with the OPP and let the OPC people go home.

**Mr. Chairman:** Very well, Mr. Singer. Let's proceed with item 1, office of the commissioner.

On vote 1504:

**Mr. Singer:** I want to ask, Mr. Chairman, if I'm on the list—am I?

**Mr. Chairman:** Yes. Go ahead.

**Mr. Singer:** Is the strength of the OPP related to the established dollars that we have available? Perhaps the deputy commissioner can tell me.

**Hon. Mr. MacBeth:** I can give you the figures as of a certain date. Your figures may be more up to date than mine. On May 31 the authorized uniformed strength was 4,080, while the actual was 4,066, so there were 14 vacancies. Authorized civilian strength was 1,188 and the actual on May 31 was 1,147, so there were 41 vacancies there. I don't think I'll be able to do as well again this evening, Mr. Chairman, so thank you for that opportunity.

**Mr. Singer:** That's pretty good, Mr. Minister. How many have you got on your waiting list?

**Hon. Mr. MacBeth:** I said I couldn't do as well again.

**Mr. Singer:** All right.

**Hon. Mr. MacBeth:** You have exhausted my—

**Mr. Singer:** We push you.

**Mr. Gartner:** We have a class of 39 scheduled for July placement. We think the attrition rates by that time will be that much.

**Mr. Singer:** Thirty-nine? But the minister's figures indicate that's about your vacancy rate. If you were running in the way I think you should, you should have had a far greater number of applicants than you have vacancies.

**Mr. Gartner:** We have a great number of applicants. There's no problems in getting applicants.

**Mr. Singer:** How many applicants do you have?

**Mr. Gartner:** I would say roughly 2,000.

**Mr. Singer:** Then why did you give me the figure of 39?

**Mr. Gartner:** We're taking on 39. We select about one in 10.

**Mr. Singer:** The 39 would bring you up to strength?

**Mr. Gartner:** Yes, at the end of July.

**Mr. Singer:** If you get these estimates passed.

**Mr. Gartner:** That's right.

**Mr. Singer:** Okay. Now, as between the 39 you're accepting and the 2,000 you have on your list, how do you distinguish them?



**Mr. Gartner:** As they come in, our career management branch examines them and selects them on the basis of the best available.

**Mr. Singer:** What does that mean?

**Mr. Gartner:** They must meet the first requirement, which is education. If they make this requirement, then they're given tests at the local districts in which there is an IQ test, two psychological tests and a general knowledge test. After they complete those successfully, they then appear before an oral board.

[8:15]

**Mr. Singer:** Could you be much more specific about these tests? How do you choose between Lawlor and Villeneuve? Suppose the two of them appear and say: "We want to be OPP men"—how would you distinguish that you should discard Lawlor and accept Villeneuve; which is quite obvious, but how would you do that?

There is age; education; personality; physique; physical tests; psychological tests. What criteria do you really have?

**Mr. Gartner:** We'd take the best of the two, considering all tests—psychological testing; educational tests; written tests; oral tests. They are given marks on every one and we are going to pick the best we can get.

**Mr. Chairman:** I will beat Villeneuve by six leagues in terms of physique.

**Mr. Singer:** I am sure that's your objective but how do you distinguish? What are your tests? Do you have an educational achievement level? Do you have an IQ level? Do you have a physical achievement level? Do you have a physique level? How do you really determine, other than in the generalities you have been giving?

**Mr. Gartner:** They must be physically fit and be examined by a medical doctor to start with.

**Mr. Singer:** What does that mean?

**Mr. Gartner:** Physically fit?

**Mr. Singer:** Yes.

**Mr. Gartner:** They must be in good health.

**Mr. Singer:** I recognize that, but does that mean the good health of a 20-year-old or a 30-year-old or Lawlor's 70-year-old or whatever?

**Mr. Gartner:** To be in good health at the age at which we hire them and that's up to 55.

**Mr. Singer:** Come on, let's get very specific. Patrick Lawlor comes in and says: "I want to be an OPP man." You look at him and you say: "There's no way we want you." Why do you say that?

**Mr. Gartner:** We wouldn't say no way.

**Mr. Haggerty:** That's just because he has a Sherlock Holmes pipe.

**Mr. Singer:** No, quite seriously, let's get away from generalities. What kind of physique do you want? Do you want a 20-year-old who is 6 ft 1 in., who weighs 170 lb; whose heart beat is such; whose respiration is such? Whose reports do you rely on? To what extent do you have objective tests? To what extent do you have subjective tests? What educational ability do you want? What IQ tests do you want? What psychological testing do you do?

**Mr. Gartner:** On the education, grade 12.

**Mr. Singer:** Lawlor would probably qualify then. If you wanted to eliminate him, what would you look for?

**Mr. Gartner:** We have tests. We have the Otis IQ test which is logic reasoning and we insist on 115 minimum.

**Mr. Singer:** I am sorry, 115 what?

**Mr. Gartner:** Minimum.

**Mr. Singer:** Of what?

**Mr. Gartner:** Of the Otis IQ test.

**Mr. Singer:** IQ, 115 minimal. Where did you get that figure?

**Mr. Gartner:** We went to a psychologist at Hickling-Johnston; they did the study for us and suggested this would be the minimum we should accept. We had further tests made of those we had hired and we found these tests were valid.

**Mr. Singer:** Where did you find it?

**Mr. Gartner:** By having tests made of the people we had hired.

**Mr. Erskine:** We also tested a great number of our people who were in the field and had proved to be good policemen. We gave them a series of the same tests to come up with a rating standard. This was done over a period of months—in fact, it was done over a two-year period—using those men and using

tests which had been done in state police departments and municipal departments in the United States. In comparing the results, the psychologists came up with the figures we are using.

**Mr. Singer:** And what average did you come up with that would be effective?

**Mr. Gartner:** One hundred and fifteen.

**Mr. Singer:** One hundred and fifteen; so they are higher or lower than that. What's the minimum cut-off age?

**Mr. Gartner:** I don't think there's any minimum now under the Police Act. The minimum?

**Mr. Singer:** Yes.

**Mr. Gartner:** It's 18 years old.

**Mr. Singer:** Maximum?

**Mr. Gartner:** There's no maximum.

**Mr. Singer:** No maximum. How old is the most recent recruit?

**Mr. Gartner:** I couldn't tell you that. I would say the average would be around 21 or 22.

**Mr. Singer:** Do you hire people in their 30s?

**Mr. Gartner:** Yes, we do.

**Mr. Singer:** On what basis would you deviate from 21-22 and go to the 30s? On the recommendation of a local member, perhaps?

**Mr. Gartner:** No, that doesn't pay any—

**Mr. Singer:** All right.

**Mr. Gartner:** He must be able to meet these other requirements. If the applicant is suitable and meets these other requirements, he would be hired.

**Mr. Singer:** What would make the applicant suitable, if your mean age is early 20s and you hire someone in their middle or late 30s?

**Mr. Gartner:** Previous police background, experience in something related to law enforcement, in the sciences or in the legal area.

**Mr. Singer:** How many people have you hired over the age of 25 in the last year?

**Mr. Gartner:** I couldn't answer that. We could get the answer for you, but I don't have it here.

**Mr. Singer:** I would like to have that information and the basis on which you hired them and whence they came.

In addition to that, having hired these people, what kind of particular training do you give them, do they all have the same standards?

**Mr. Gartner:** Yes, they do.

**Mr. Singer:** And that standard is?

**Mr. Gartner:** A three-week orientation course is given to each recruit at our training and development centre in Toronto. They are then sent out to the field under a coach officer who is selected as being above average. These coach officers are, in turn, trained at the training and development centre.

**Mr. Singer:** Can I stop you? "As being above average"—what does that mean?

**Mr. Gartner:** It means just what it says; that they are above average constables; that they are the better constables.

**Mr. Singer:** Do you have people below average?

**Mr. Gartner:** Certainly. We try to bring them up to average, but we do have them below average.

**Mr. Singer:** What do you do with the average or the below average?

**Mr. Gartner:** We counsel them and try to give them the right training if they're not performing properly.

**Mr. Singer:** Do you dismiss people who are average or below?

**Mr. Gartner:** No, unless they commit some breach of the Police Act.

**Mr. Singer:** I see. If you get below average, average or above average, you keep them all?

**Mr. Gartner:** We keep them all? Well, we don't keep them in the first year, when they are on probation; if we find a probationary below average we would dispense with his services.

**Mr. Singer:** Is your selective process really meaningful if you keep below average and average?

**Mr. Gartner:** We don't keep below average in the first year. By the time they are recommended for a government appointment they are performing at an average or above average rate.

**Mr. Singer:** Of the people who are initially assessed at below average, how many do you dismiss?

**Mr. Gartner:** Well if they are initially assessed—

**Mr. Singer:** How many did you dismiss this past year?

**Mr. Gartner:** If they are initially assessed at below average, we don't hire them.

**Mr. Singer:** How many did you dismiss having found them below average in the year 1975?

**Mr. Gartner:** I have some figures here; just a moment.

**Mr. Singer:** Would you look them up?

**Mr. Gartner:** In 1975, among the recruits, probationary constables, there was a total attrition of 27 out of 271.

**Mr. Singer:** That isn't quite what I asked you. I asked you how many of those had been assessed at below average?

**Mr. Gartner:** As I replied to you, we didn't hire anyone who initially showed below average.

**Mr. Singer:** At what stage do you determine that they are below average, average or above average?

**Mr. Gartner:** When they first come on, they are either average or above average to meet the requirements. They are then on probation for one year. In that year, if they show that they can't adapt to police training or are below average in performance, then we dispense with their services. We have this right within the probationary year.

**Mr. Singer:** I am not questioning that. I am just wondering about the people whom you have chosen who you eventually find are below average, how many you dispose of? How many were disposed of in the last fiscal year?

**Mr. Gartner:** I can only repeat that before anyone gets a permanent appointment, they must be performing at an average or an above-average level. After that, if they become below average in performance, we try to counsel them and train them better. If they continue this and they are in breach of the Police Act, then we charge them and they could be dismissed—but not for below-average performance in itself.

**Mr. Singer:** We are not really talking along the same lines, but the record will show what I'm talking about.

Could I direct your attention to the organization recommendation 2.4 of the Task Force on Policing, whichever one of you gentlemen would care to answer this. Organization recommendation 2.4 reads:

The OPP undertake a comprehensive analysis of their field organization, including assessment of the implications of agreement policing, absorption of small forces, and existence of large areas to be policed by municipal forces.

Then I turn to the document given to us by the deputy minister, the June, 1976, status report for estimates, implementation completed; and this shows 2.4 is completed.

I have been very concerned about the absorption of small forces, and 2.4 seems to recommend the absorption of small forces. The commissioner says 2.4 has been completed. Could you tell me, Mr. Deputy Commissioner—I think we've left your friend on the right—the extent to which you have absorbed small forces and why we still have the very large number of small forces your report seems to indicate—and I'm talking of small forces with one to 10.

**Mr. Gartner:** One in 10,000?

**Mr. Singer:** No, one to 10 police officers. How can you say that—

**Hon. Mr. MacBeth:** That is not a matter for the OPP. It has got to do with a directive to the Deputy Commissioner, I believe, and this may be as good a place as any to deal with it.

**Mr. Singer:** Okay.

**Hon. Mr. MacBeth:** But it's not a problem to present to the OPP.

**Mr. Singer:** Perhaps the minister or his representative should deal with it, if he feels the commissioner shouldn't deal with it.

**Hon. Mr. MacBeth:** No, I think my deputy is prepared to answer some of these questions, all I meant was that whether we absorb a small force or not is a matter for the policy-makers and not the OPP themselves.

**Mr. Singer:** In case you have missed my point, I asked you about recommendation 2.4, which represents a recommendation that you absorb small forces. The point I made earlier in these estimates was that, as far as



I can see from your reports, you have absorbed a very small number of small forces. I asked also why you say in your status report that 2.4 and 2.5 have been implemented. I suggest they haven't been implemented unless you can explain it further to me.

**Mr. Russell:** Mr. Singer, I am going to refer now to a status report that is the most modern one we have. As you may recall, we did supply Mr. Lawlor with a report in May last year. Organization recommendations 2.4 and 2.5—should I read those out or is everyone acquainted with them?

**Hon. Mr. MacBeth:** It might be wise to read them out.

**Mr. Russell:** The recommendations read:

Org. 2.4: The OPP undertake a comprehensive analysis of their field organization, including assessment of the implications of agreement policing, absorption of small forces, and existence of large areas to be policed by regional municipal forces.

Org. 2.5: The OPP establish clear responsibility within their command structure for operation of policing in areas covered by agreements and for relations with councils as regards both day-to-day matters and agreement negotiation.

**Mr. Singer:** Perhaps we could deal with them one at a time.

**Mr. Russell:** The reason I read the two was that the two were on the one page and the status is below that. It's quite all right with me. We can leave it.

**Mr. Singer:** Okay. Relate them if you would, Mr. Deputy Minister, to page 12 on your annual report.

[8:30]

**Mr. Russell:** I'll come to that in a minute. The person who prepared this states:

The OPP has conducted a comprehensive analysis of its field organization. The results of the study indicate that the present structure of the force is adequate to meet its current responsibilities and to meet changing requirements.

I'm not too happy, candidly, with that reply either.

**Mr. Singer:** Thank you.

**Mr. Russell:** No, I'm not.

**Mr. Singer:** Okay. You've confirmed my point.

**Mr. Russell:** As far as small forces are concerned, definitely we have not absorbed the small forces. It's one of the major problems we face in this task force.

We have two problems—the question of complement and the question of finance—and to absorb the small forces requires both. We are in a position right now where I don't think the OPP is able with the restrictions on finances and complement, to take the small forces over.

Frankly, I'm only too prepared to admit that I don't feel that answer is adequate. To have recommendations 2.4 and 2.5 on that first page, it would be better—

**Mr. Singer:** To move them over to the next page?

**Mr. Russell:** Frankly, to prepare this is difficult because they do change and swing. I like to feel on the first page, that it's complete but pages 2 and 3 do vary. If you compare this with the end of the year—the figures we gave at the end of 1975—there is a difference but it is an ongoing thing. It changes as we make studies and so on. We get so far and we have to pull back for various reasons; and candidly, one of them is restriction of money and complement.

I'm only too prepared to admit, unless the two deputies have something to say otherwise, I think surveys have been made and that part I'll go with, but to say the small forces have been completely absorbed—I couldn't agree with you more. They're still here and it's a major problem. Of 64 of them, over half are under 10 and we're aware of that.

**Mr. Singer:** Mr. Chairman, without belabouring the deputy or the minister, I appreciate the deputy's frankness. All you have to do, really, is to turn to page 12 of your annual report and look at the figures for the number of forces on Jan. 1, 1975, and Jan. 1, 1976; and you've gone down three in a full year. In view not only of the criticisms which have been put before the ministry over many years, the recommendations of the task force, the belief of the deputy, and I would think the minister—we don't know the minister well enough in this department yet because he is fairly new—it's a pretty damn poor performance. If you're going to get better policing in the Province of Ontario, surely you've got to have a better performance? I give the deputy full marks for saying that 2.4 and 2.5 should not be on page 1; you should have moved it down a little further.

However, being there, it sort of invited the kind of remarks I am making and the remarks have been made.

**Mr. Russell:** Can I carry it a little further? To take over small forces does pose certain problems. You have the autonomy of the local police; you have the absorption of the officers being moved; the police constables being moved from the municipal forces over to the OPP. There are problems there. You have associations you have to deal with; qualifications, ability and so on. Really, I don't think it's quite as simple as saying close them out and take them over. We do have problems.

**Mr. Singer:** That's a nice general statement but now that you've got specific and since you came back to it, one-man forces were reduced from seven to four in a year. Maybe that's a substantial achievement. Two- to five-man forces were reduced from 30 to 29—that's a big move. Six- to nine-man forces were reduced from 32 to 31 and 10- to 14-man forces reduced to 12 from 13.

You haven't really had a heck of a lot of achievement, particularly when you come down to the bottom of the column; you have 128 forces today and 131 a year ago or Jan. 1. I don't think you've really progressed very far. Maybe we should get into that with the OPC rather than the OPP, but it is not a good performance record.

**Hon. Mr. MacBeth:** I think it was a good question to ask the chairman of the Ontario Police Commission as well, not to shirk my own responsibility on it; I would like to see more. As we agreed the other day, a one-man force leaves a lot to be desired.

**Mr. Singer:** Or two to five?

**Hon. Mr. MacBeth:** Yes, even five. It depends on the size of the town; although we were talking today about Manaki with an 11-men OPP detachment up there; and even that left something to be desired when there was sickness or training courses or things of that nature.

But remember this is not just the government itself that can enforce it. Well, I suppose we could enforce it by legislation, but it's still a matter of co-operation. First of all, the municipalities are trying to keep their expenses to a minimum. If they ask us to take over then it becomes our responsibility and it may be more costly for them to pay us for the policing than what they are paying for a one-man force. It's not as one-sided as that, but your point is well made.

We haven't reached our goal, but at least the recommendation has been made. We will continue to work on it and I hope that with more funds from some source we will eventually be able to accomplish it.

**Mr. Singer:** Can I move then from 2.4, which is that one, to 2.5. This is the summary of those recommendations in the task force towards the end of the book.

Under organization, 2.5, it says: "OPP establish clear responsibility within their command structure for operation of policing in areas covered by agreements, and for relations with councils as regards both day-to-day matters and agreement negotiation."

Could you explain that to us in light of Sauble Beach, summer resorts, northern Ontario and all these other areas where there have been problems? And would you tell us the extent to which this has been implemented and why you say, in the first page, that it has been implemented?

**Mr. Gartner:** Yes; we now have a section within the field division that is called Indian service and municipal policing; this was formed to handle the two areas, especially the municipal policing area. All the contracts for municipal policing now go through this area. In keeping with the task force recommendation, this was the basic formation to cope with the take-over of towns of 15,000. This was the basic organization.

**Mr. Erskine:** The question is a little confusing in that when we talk about Sauble Beach and some other areas, those are not contract areas covered by agreement as covered in organization under 2.5. Under 2.5, this is where we have a contract agreement and the municipality pays for OPP policing. Sauble Beach is not one of those. It's an area that is generally policed through general policing.

**Mr. Sargent:** You did a hell of a good job up there.

**Mr. Singer:** As a somewhat layman, tell me first of all how many you have on contract and how many you go into, and the extent to which you have a roving commission?

I would like to feel the OPP has a roving commission to police Ontario where it isn't being properly policed. Perhaps I'm wrong in that.

**Hon. Mr. MacBeth:** I don't think it is that general. I think we keep out of municipalities where they have their own force.

**Mr. Erskine:** That's right. We are providing general law enforcement and enforcing

statutes and the Highway Traffic Act in all parts of Ontario without organized police departments. There are a number of small municipalities which we police under contract. There are also a number of summer resorts where we put in a seasonal detachment by adding extra men to the detachment because of the influx of tourists and vacationers during the holiday season.

The areas we have contracts with, as of April 1, 1975, were Almonte, Belle River, Blenheim, Bradford township, Campbellford, Gosfield South township, Harrow, Malden township, Garry township, Ridgetown, Rockcliffe Park, Smooth Rock Falls, Tecumseh and Wheatley.

**Mr. Singer:** The areas you've listed are ones which have gotten their help by request, by ministerial order—or how?

**Mr. Erskine:** By request.

**Mr. Singer:** Supposing some township said they would like to be policed by the OPP; what are the criteria that determine whether or not that should or should not happen?

**Mr. Erskine:** At the present time it would be very difficult, because we wouldn't have sufficient manpower to take over any extra policing at the present time.

**Mr. Singer:** So anyone who asks now that they be policed by the OPP, you have to refuse?

**Mr. Erskine:** At the present time, as long as they have a police department of their own—if they abandon their police department we are required under the Police Act, I believe by ministerial order, to move in and take over the policing, immediately, of that town.

**Mr. Singer:** An interesting contradiction, Mr. Commissioner. You said that at the present time if anybody asks you, you can't; but if they have no police force, you do. How do you reconcile that?

**Mr. Erskine:** If they have a police force and they ask us to give them a contract for policing, we have not been accepting any contracts for the past two years—pretty close to two years. But if they abandon their police departments such as Brighton, Angus, Smooth Rock Falls and Havelock have done; we have to go in and maintain law enforcement within the community.

**Mr. Singer:** It's interesting. You have to but if you haven't got the personnel, how do you do it?

**Mr. Erskine:** We stretch them a little thinner.

**Mr. Singer:** You stretch them?

**Hon. Mr. MacBeth:** I haven't come up against it before but today one of the Liberal members came over and suggested that one of the councils in his riding would like the OPP to take over. He said there was a resolution by council. I really haven't gone through the procedure before, but I said: "Get the resolution sent along to us and we will take a look at it."

**Mr. Haggerty:** Is there a charge back for that?

**Hon. Mr. MacBeth:** As I understand it, if there is more than 5,000 in the population we will charge them for the services.

**Mr. Erskine:** We charge them the rate of each first-class constable plus 10 per cent plus mileage and they supply the office accommodation.

**Mr. Singer:** It's unfair, perhaps, to descend on the commissioner or his representatives as to how this is done. The minister has hastened to say a Liberal member came over and said, "Will you do it in municipality X?" Municipality X has come to the conclusion it can no longer police itself; and, if you listen to what the commissioner has said, we have no more bodies available to police; what do you?

**Hon. Mr. MacBeth:** I assume that having police in the area we will be able to give them round-the-clock protection, which the one or two people—I don't know how many officers are involved in this situation—would not be able to give them. In other words, you are getting into a larger force as opposed to a small force.

**Mr. Singer:** That's a generality signifying absolutely nothing. Supposing I am the reeve of Podunk township and I say my good rate-payers can no longer afford to pay a police force—one, two, five or 10-man, whatever it is. We come to you and say: "Come and police us"; and as we hear, the commissioner has to say: "Sorry, we have no more people." What happens?

**Hon. Mr. MacBeth:** I don't expect that would be our answer. I expect we would say "All right; for the size of this town, you need so much policing and it will cost you so much."



**Mr. Singer:** Who then supplies it?

**Hon. Mr. MacBeth:** I don't know whether we bargain with them. I would have to fall back on my assistants on whether they say: "We recommend you have such-and-such a kind of patrol and that will cost you so many dollars." They in turn say: "We can't afford that. What's the next best you can do?"

**Mr. Erskine:** The best example last year, I think, was the town of Campbellford. We have a detachment in Campbellford with some 15 to 18 people policing the rural municipalities around Campbellford. The council and municipality of Campbellford came to us and asked us to absorb their police department. The members of the police department were examined and tested; we felt they had good potential and we absorbed them into the OPP and policed Campbellford under contract. They are paying for their portion of the policing.

We are now running all of the men out of the one detachment office instead of two offices and have made the town of Campbellford a zone. By having extra men there and the fact they are duplicating their duties—they all live in the town—we believe, and the reports back confirm, that the town is getting better policing than it has had for some time.

**Hon. Mr. MacBeth:** At lower or a greater cost?

**Mr. Erskine:** Actually, I think it was a lower cost. The projected figure on what their contracts for their own force were going to be for the coming year, indicated they would probably have been a little higher than our contract price.

[8:45]

**Hon. Mr. MacBeth:** So the suggestion was they had better policing at lower cost?

**Mr. Erskine:** We have all those men living in town—we get 15 and 16 men living in town—and they have their families there, so they take an interest in the town policing. They are there anyway, so what you are doing is running more men out of one office instead of two separate offices with less coverage. It cuts down on duplication of services too.

**Mr. Singer:** Again, I don't want to hurl it at the commissioner or his representative, but I say to the minister and his deputy, for what it's worth, I think there's a great great hiatus

left in the middle. If I was the head of a small and remote municipality faced with the kind of tax raise that most municipalities in Ontario are faced with today, running between 10 and 20 per cent, and looking for a basis on which to save, I would like to have a much more definite answer from the Solicitor General as to how he is going to do my policing.

I think there has to be a better answer, not only for the benefit of the ratepayers in that rural or remote municipality, but an answer to all the people of Ontario; I think there has to be a broader and more intelligently based police effort.

My very strong feeling is that the OPP should be able to do that, and that we should not put the commissioner on the griddle and say that he is sort of tied in with a dollar amount. He has to be tied; however, the dollar amount does not come from the commissioner, but from the minister—and really the minister has to begin to look to it.

We go back to the original point I made, that we have too damned many small forces—one to nine, or one to 20 perhaps—and over many years there hasn't been a report you can pick up but it says to do away with them. If we have a good force, a big force, a training force and a force that can be selective, then you have got to move in. The excuse that says, "Is it needed?" and "Who can afford to pay it?" with respect, Mr. Minister, is just not meaningful.

And you should not put the commissioner up here as the guinea pig; the commissioner is tied in, assistant commissioner Erskine is sort of tied in—I don't like to have a go at him, or even at his boss; I want to have a go at you, Mr. Minister and Mr. Deputy Minister.

**Mr. Russell:** We are not putting the commissioner on the spot. I can give you the name of one place—I think there are three or four, but I am sure Warton is one place that has written in and said they would like to have a contract with the OPP; this could be eight or 10 months ago; but there are others, including one down in Kent county. Frankly, we are just not in a position right now—and I am not saying that—

**Mr. Singer:** That's my point.

**Mr. Russell:** Just a minute now—I am not saying it's the commissioner; I am saying it's the ministry in terms of the questions of complement, finance and so on. Actually, I feel you are touching on one small area, the cost of policing; if you run through that report, it's a major problem.

It's not just the absorption of the small forces; it's the whole cost of policing—the grant system. Some municipalities pay for the policing, some have contracts with the OPP and others get free policing. We have made presentations to the justice police field. It has also been to TEIGA, because they control the funds back and forth. And, to be candid, this came up in public accounts about three weeks ago.

The cost of policing is something that has to be levelled off and settled. Candidly, Mr. Singer, I can see your point here, but it's just one piece of the cost of policing across the province, and we are working at it, I can assure you.

**Mr. Singer:** Mr. Deputy Minister, I agree it is only one piece and we can only deal with these votes one by one, but it's an important piece. In keeping with the idea held by a lot of the members about equality of policing over the whole of the province, since we are taking money out of revenues gathered over the whole of the province, there is no reason why municipalities with smaller populations and assessment revenues should get worse policing than bigger municipalities. I think it's unfair, actually, and the point I continue to emphasize is not to pick on the commissioner; the people to pick on are you and your minister.

**Mr. Russell:** That's quite right, and I have tried to make that point clear. It comes here; the costs of policing are in the ministry.

**Mr. Singer:** Okay.

**Hon. Mr. MacBeth:** On the other hand, as far as dollars and cents are concerned, there is a certain responsibility. I understand the size of the municipality is 5,000 people. If they have over 5,000 there is a responsibility for them to police themselves. If they have more than that population, it would be wrong for us to move in just because they have a three or four-man force and take it over without expense to them because other municipalities with that kind of population and assessment are policing themselves. That's where it boils down to working out some kind of agreement. When it comes to us charging them the same rate that larger municipalities are paying, they may say to us, "We can't afford that." Those are some of the factors which, as I say, come into the little bit of bargaining over whether or not we go in. If they were paying the full cost of that we'd be able to afford it without any tax on our own resources.

**Mr. Singer:** Turning to some of the other recommendations of this report: Ontario police

personnel recommendations 1.1: Every person appointed as a police officer shall be a Canadian citizen. I note this appears on page 2, "Implementation under way." Isn't it reasonable that everyone here, whether a Canadian citizen or a landed immigrant, if otherwise qualified, should be able to be a police officer? Can you explain why you haven't taken exception to that?

**Mr. Russell:** Originally, it was "Be a Canadian citizen or a British subject."

**Mr. Singer:** That's not the way it appears now.

**Mr. Russell:** That's the way it is now. The recommendation—

**Mr. Singer:** No. Page 155, "be a Canadian citizen." My question was if they're here legally, if we've accepted them as legal residents of Ontario and they want to be police officers and they otherwise qualify, why shouldn't they be policemen or policewomen?

**Hon. Mr. MacBeth:** Say they were on the force originally by virtue of being a British subject and have done nothing to take out Canadian citizenship, your position would be to force them to take out Canadian citizenship.

**Mr. Singer:** No. My position simply is if they're not Canadian citizens but they're here as landed immigrants, if they're 6 ft 6 in. tall and they weigh 129 lb and they're healthy and they have no glasses and so on, and they're 21 years old; why shouldn't they be policemen without being citizens?

**An hon. member:** Or solicitors general?

**Mr. Singer:** Yes, or solicitors general as my friend says.

**Hon. Mr. MacBeth:** I would assume they are.

**Mr. Singer:** No, that's not what it says on page 155.

**Mr. Gartner:** They must take an oath of allegiance, for one thing.

**Mr. Erskine:** This was kicked around for about three or four days in the task force on policing and the consensus, for a number of reasons, was they should be Canadian citizens. They were used to our customs, our manners, our methods; they've grown up in our school system or they've been in Canada long enough to know our customs and they could also take an oath of allegiance.

**Hon. Mr. MacBeth:** Do they not have to be Canadian citizens now to join the force?

**Mr. Erskine:** Before, it read "Canadian citizen or British subject." The task force recommended that they insist—

**Hon. Mr. MacBeth:** A new person coming on a police force now, does he not have to be a Canadian citizen?

**Mr. Erskine:** He has to be a Canadian citizen.

**Hon. Mr. MacBeth:** Isn't that the question you're asking, Mr. Singer?

**Mr. Singer:** All right, let me reduce it to its simplest. Supposing you have someone who says, "I have all the qualifications, I have the height, the size, I'm not overweight. I have 20/20 vision or whatever but unfortunately, I am not a Canadian citizen. I came from one of those countries in another part of the world but I'm here as a landed immigrant. I have no police record. I have always wanted to be a policeman." Why shouldn't he be able to be one?

**Hon. Mr. MacBeth:** For the reasons, I guess, that Mr. Gartner has just given—that it's good to have somebody who's been around a little while before they suddenly become a policeman. A policeman's got a position of authority and I think there would be a certain resentment if, perhaps, somebody who is a recent immigrant here was given that kind of power when they may not know what the customs of the country are. It's part of their training, I would say.

**Mr. Singer:** I, for one, do not believe the police are ready to take over our Canadian world. I would suggest that if they've gone through your other tests and if they have the physical qualifications for policemen or policewomen, and they have no records and they have an apparent desire to serve and they've passed all these psychological tests and so on—our colleagues in Ottawa seem to want five years to pass before people become Canadian citizens. Since we have a dearth of applicants on some of our forces, wouldn't it be reasonable that people who qualified otherwise, if they're here legally, should be police people?

**Mr. Erskine:** We haven't run into that problem in the OPP. We have an excess of applications from Canadian-born and Canadian-educated young men and women who want to come on our force. You're speaking of a recommendation of the task force—

**Mr. Singer:** Yes.

**Mr. Erskine:** —but the actual Police Act reads, "No person shall be appointed to the force unless he is a Canadian citizen or a British subject." It has been that way for years; that hasn't been changed by the task force recommendation.

**Mr. Singer:** I'm suggesting that maybe the time has come to change it. If people are otherwise qualified and they are here legally, and if they meet whatever other qualifications are required—they have no criminal record, they are not addicts, alcoholics or whatever—it might not be unreasonable—

**Hon. Mr. MacBeth:** I don't feel strongly about it one way or another, although to be a Canadian citizen seems to be a reasonable requirement for somebody who wants to have this kind of position in this country. I think we must be Canadian citizens or British subjects to take part in this House, and sometimes I think the police officers have more authority than we do in this House.

**Mr. Singer:** Maybe we should let the police sit in the House.

**Mr. Erskine:** There's also less public resentment against the Canadian citizen than there is against someone with an accent. It is unfortunate, but the public resent being told they have broken the law by someone who has not lived in Canada for some period of time.

**Mr. Singer:** I am interested in the deputy commissioner's comment about an accent. Let me first deal with eye-glasses; I'll come to the accent in a minute. I think Mr. Villeneuve might be interested. Why can't people with eye-glasses, with 20/40 vision, be police people?

**Mr. Erskine:** They can.

**Mr. Singer:** They can? The recommendation reads: "If a candidate has poor vision (not to exceed 20/40) and it can be corrected through the use of glasses, he not be precluded from joining any police force." Has that been accepted?

**Mr. Erskine:** Yes, it has.

**Mr. Singer:** How many people with glasses, with limited vision of 20/40, are now on the OPP?

**Hon. Mr. MacBeth:** I see a fair number of them back here putting their glasses on.

**Mr. Erskine:** I don't think we have that figure with us, but in attending graduation



ceremonies over the past two years, I have noticed a number of people wearing glasses.

**Mr. Singer:** New ones or people of your age and my age?

**Mr. Erskine:** I am talking about recruits.

**Mr. Singer:** I think it would be very interesting, because I think some of the physical observations we've had in the past really have been prejudicial and non-reasoned.

Let me leave the eye-glass one, because you haven't got the statistic I'd like to ask you about, and go to recommendations 42, 43 and 44, regarding the composition of police forces. On page 146 of the task force report, there is a list of police forces in several areas—and there are a great number—that should be fully bilingual. I note that's referred to on page 3, and that the areas chosen in recommendations 42, 43 and 44 are rejected; they include Prescott-Russell, Ottawa-Carleton and Stormont-Dundas-Glen-garry. My friend over here might be very concerned, because recommendation 43 says that to meet the requirements of recommendation 42, all new recruits should be either bilingual or willing to take appropriate courses; and recommendation 44 says the Ontario Police College should offer sufficient instruction in the French language and so on. They are all the same, and you rejected the whole bunch of them. Surely, as a somewhat substantially bilingual province, we have to ask you why you rejected all these recommendations of the task force. What steps are you taking to have bilingual police officers? [9:00]

**Mr. Erskine:** Prior to this recommendation of the task force report, we did a study of the percentage of bilingual people in the areas that we police, and we set a chart showing that percentage, and we set a goal of that percentage of bilingual officers in each of those detachment areas. The required bilingual strength of the OPP is currently set at 239 employees. At year-end, the capability totalled 292, being comprised of 213 bilingual uniformed members and 79 civilian employees.

**Mr. Singer:** Deputy Commissioner, I find that very intriguing. How many bilingual people have you got in Prescott-Russell?

**Mr. Erskine:** We've got it in districts.

**Mr. Gartner:** That's for Long Sault. We have 71 bilingual.

**Mr. Singer:** In Prescott-Russell? Okay. In Ottawa-Carleton how many do you have?

**Mr. Gartner:** That would include the same area.

**Mr. Singer:** Stormont-Dundas-Glen-garry?

**Mr. Gartner:** That's all in the same district.

**Mr. Singer:** I presume we leave the area when we get to Elliot Lake?

**Mr. Gartner:** Elliot Lake—that's 24.

**Mr. Singer:** Elliot Lake, Blind River, Espanola, Haileybury; is that all in the same district?

**Mr. Gartner:** That's 24, plus eight.

**Mr. Singer:** Twenty-four?

**Mr. Gartner:** Yes, 24 and eight.

**Mr. Singer:** Okay. Can we go back to Prescott-Russell, Ottawa-Carleton, Stormont-Dundas-Glen-garry where you have 71? How many OPP officers in total do you have?

**Mr. Erskine:** There were 71 in 1976 with 15 civilian employees. It would be 71 uniformed and 15 civilians.

**Mr. Singer:** How many non-bilingual officers do you have?

**Mr. Gartner:** In district 11, that includes the area you are talking about, we have 243 total uniformed.

**Mr. Singer:** You have 71 bilingual out of 243 total so you have something less than a third. Would you say the population there is less than a third French-speaking? My guess would be 50 per cent.

**Mr. Gartner:** At Casselman, for example, the entire detachment of 12 men is bilingual.

**Mr. Singer:** Do you have any assessment of the English-speaking population and French-speaking population in that district?

**Mr. Gartner:** You mean the numbers?

**Mr. Singer:** Yes.

**Mr. Gartner:** I would suggest it would be highly French.

**Mr. Singer:** Highly French. What is high? Is that 50 per cent, 70 per cent?

**Mr. Gartner:** I think it would be more than 50 per cent.

Mr. Singer: More than 50 per cent?

Mr. Gartner: Yes.

Mr. Singer: Mr. Villeneuve says 85 per cent.

Hon. Mr. MacBeth: You're including Ottawa and that area, are you not?

Mr. Gartner: Yes, it could be. We try our very best to recruit bilingual officers and we take everyone who's qualified.

Mr. Singer: What I'm puzzled at is do you think 71 to 243 is a reasonable ratio in district 11, I think you called it?

Mr. Gartner: We would like to have more if we could get them.

Mr. Singer: What is a reasonable ratio? What are you aiming for?

Mr. Gartner: I think Deputy Commissioner Erskine spoke to you at the start on the figures for the entire province.

Mr. Singer: No, he gave me figures that exist, not what ratio you're aiming for.

Mr. Gartner: I think he gave you the—

Mr. Singer: It was 71 to 243.

Mr. Gartner: We gave you some figures before that.

Mr. Singer: Let me ask him specifically. What are you aiming for? You said you wanted to set a reasonable ratio.

Mr. Gartner: It was set at 239 bilingual employees.

Mr. Singer: I lost you.

Mr. Gartner: Throughout the province.

Mr. Singer: Throughout the province. Let's go back to district 11—I think that's what you said—Prescott-Russell, Ottawa-Carleton, Stormont-Dundas-Glengarry. I've noted here you have 71 bilingual or French-speaking people of 243 uniformed strength. Is that correct?

Mr. Gartner: I'll correct that. The bilingual requirement was 71; we have 85.

Mr. Singer: You have 85? Okay. You have a bilingual requirement of 71. How do you arrive at that?

Mr. Gartner: That was based on government policy at the time, that there should be bilingual employees hired.

Mr. Singer: Okay. What I'm trying to get at is was what government policy at the time? What is government policy today? How is it based?

Mr. Gartner: We haven't changed it. It is still at 239 but we're above that level. We haven't stopped trying to recruit bilingual officers.

Mr. Singer: Could you please answer on how those figures are chosen—if they are chosen by you, or who chooses them and who tells you what they should be?

Mr. Erskine: We did a study of the areas and the actual municipalities we police, and we got the total number of bilingual or French-speaking or English-speaking people. We set a percentage so that our percentage of bilingual officers would match the percentage of French-speaking people in each of those areas.

In district No. 11 we police quite a few areas where the percentage is very highly English; up around the Ottawa area. Down through Casselman we have 100 per cent bilingual. Over in Maxwell, where there isn't the same percentage of bilingual people, we have a lesser number.

Our objective is to match the percentage with each of the municipalities, or each of the detachment areas we police. We have been aiming for that figure. At the end of the year we had gone from 239 to 292 in one year.

Mr. Gartner: I believe the government policy was arrived at by the fact that six per cent of the people in Ontario were French-speaking, so we applied the six per cent at that time to the OPP and we came up with 239.

Mr. Singer: I am afraid I have lost you in this maze of figures. Let's just take district No. 11. Can you tell me what your figures indicate? What is the total population in district No. 11 of all people—English-speaking, French-speaking, or whatever, other—

Mr. Gartner: The total population of the police force?

Mr. Singer: No, all the people; men, women, children—

Mr. Gartner: I don't know.

Mr. Singer: You don't know.

Hon. Mr. MacBeth: I don't know whether it's reasonable to expect us to have those figures.

**Mr. Singer:** With great respect, Mr. Minister, I am not trying to embarrass your OPP. I am trying to get at the basis on which we have in district No. 11 a figure of 85 bilingual and/or French-speaking people out of a total of uniform strength of 243. Surely somebody must be able to tell me why you arrived at a figure of approximately one-third. Does it relate to population or doesn't it? Has somebody just grabbed it out of the air; or does it relate to six per cent over the whole province?

**Hon. Mr. MacBeth:** I think the suggestion is that province-wide we try to recruit bilingual officers in proportion to the French-speaking population in that area. But at the same time, I think they have also said that in most areas we haven't been able to get up to our desired ratio.

**Mr. Singer:** I just don't understand what the minister is saying. He is talking gobbledegook. We are talking about district No. 11. If we believe in district No. 11 we have 50 per cent French-speaking people or 40 per cent French-speaking people, and that district requires 243 police officers, surely the number of French-speaking police officers should relate in some reasonable proportion to the number of French-speaking people who are there. Now that's what I am trying to get at, not balancing it over six per cent of the whole province.

**Hon. Mr. MacBeth:** No, I think I said that on an area basis you couldn't provide the same ratio. I don't think that is gobbledegook.

I don't know what the population or the percentage is, but I suppose when they are setting these percentages they look at actual figures. But if six per cent are French-speaking across the whole province, then that's what we are trying to establish as the ratio in the whole of the province.

**Mr. Singer:** And in district No. 11 as well?

**Hon. Mr. MacBeth:** No, not district No. 11. You take the percentage of French-speaking people in district No. 11, along with the total population, and then set that ratio in that area.

**Mr. Singer:** I would suggest if you send six per cent of the OPP people into Downsview as French-speaking officers, it's a waste of time, because I don't think you are going to find six per cent of the people in Downsview are going to speak French. There are a variety of other languages I could suggest to you.

**Hon. Mr. MacBeth:** I don't think we have suggested for one—

**Mr. Singer:** No, neither would Etobicoke. I am trying to get my friend, Mr. Villeneuve, into this discussion—surely it has to relate, percentage-wise, to the —

**Mr. Villeneuve:** When you speak of Prescott and Russell, Casselman is 18 miles from Maxville.

**Mr. Acting Chairman:** Mr. Singer, would you direct your remarks to the minister? Mr. Villeneuve will get his chance later.

**Mr. Singer:** You are quite right, Mr. Acting Chairman.

Can't you sort of pick out a section of the province and say there's an awful lot of French-speaking people there and therefore we need an awful lot of French-speaking officers?

**Hon. Mr. MacBeth:** Well, I think you made a pretty good selection when you picked out Stormont-Dundas-Glengarry.

**Mr. Singer:** I am only taking it from the report, Mr. Minister, I didn't dream this up.

**Hon. Mr. MacBeth:** I'm not taking exception to the area you're using, and I think the deputy commissioners have come back to show you that this is where a good number of the French-speaking personnel do exist.

**Mr. Singer:** All right, let me leave recommendation 4.2, which you say you've rejected, and move to recommendation 4.3, which says, "To meet the requirements of recommendation 4.2, all new recruits to the forces be either bilingual or willing to take appropriate courses to achieve a basic bilingual efficiency during the probationary period." Let me ask you why you rejected that out of hand? Does that not seem to be a reasonable recommendation?

**Hon. Mr. MacBeth:** I think it is a reasonable suggestion, but evidently they have found difficulty in getting qualified recruits who were either bilingual or ready to take the courses. I'm not sure of that, and I stand to be corrected.

**Mr. Erskine:** We've run a number of bilingual courses during the past five or six years; I think it goes back perhaps a little longer than that. Down in the Ottawa Valley area, where there is the use of French, we've sent men on total immersion courses, and the results have been excellent. But in other parts



of the province where we've had them on courses, some spread over a period of two or three years, they've lost it because they have not been able to use the French language in the area where they are stationed; they haven't been able to develop it, so it has been a total loss.

As I say, down in the Ottawa Valley, we've sent them to total immersion courses in Montreal and at a training facility near Cornwall; the results have been excellent because they are working with bilingual people and are able to use the language.

**Mr. Singer:** Okay. Tell me why you discarded recommendation 4.4, which says: "The Ontario Police College offer sufficient of its instruction in the French language to enhance the bilingual capacity of officers working in French-speaking communities." Why have we discarded that one?

**Hon. Mr. MacBeth:** I am afraid the OPP don't operate the Police College; really, you should be asking the Police Commission, rather than the force, about many of these recommendations. There is a great overlapping in the policies but, in fairness, this is a straight Police College matter and they should be asked about it.

**Mr. Singer:** Perhaps while we're at it, and since it sort of follows recommendations 2.2 and 2.3, perhaps the minister or his deputy would undertake to answer—or somebody.

**Hon. Mr. MacBeth:** As the report states:

The requirement for French-language instruction at the Ontario Police College has not been significant to date. Should this develop, however, the provision of additional staff so that some courses can be instructed in the French language can be examined.

As you know, the Police College is getting established down there and making progress; they too are feeling the restraint of funds, but the indication is they will try to do this in the future.

**Mr. Singer:** All right. Tell me about organization recommendation No. 2.4 at page 149, where the recommendation is that "the OPP undertake a comprehensive analysis of their field organization, including assessment of the implications of agreement policing, absorption of small forces, and existence of large areas to be policed by regional municipal forces." You say that has been implemented, and it is on page 1. Can you elaborate on that and tell me the extent to which you have done it in light of the statistics which you have in your report?

**Mr. Gartner:** That's the analysis, not the takeover; that is just the straight analysis, isn't it?

**Mr. Singer:** Oh! If you analyse, surely you should be prepared to do the recommendations. [9:15]

**Mr. Sargent:** Mr. Chairman, a point of order. May it please the court, Mr. Singer is very observant of the rules of procedure in the courts of law in Ontario. There is a point of concern with regard to how long counsel can plead a case time-wise. I think he has made his case to the exhaustion of other members here and I would like to say would he please limit his time to within two or three hours?

**Mr. Acting Chairman:** Mr. Sargent, I will speak to Mr. Singer about that, but let me remind you that we have a lot of the finest here tonight and if you misbehave you will be thrown out.

**Mr. Sargent:** We have a lot of learned counsel here as well.

**Mr. Acting Chairman:** Mr. Singer, I would ask you to be sensitive about—

**Mr. Singer:** I am indeed.

**Mr. Acting Chairman:** Both of you behave, that's what I'm saying.

**Mr. Sargent:** Thank you, Mr. Chairman.

**Mr. Singer:** On 2.4, organization, page 149—

**Hon. Mr. MacBeth:** Well, 2.4 was the one we discussed at the very start. Are you sure you've got the right number on that one?

**Mr. Singer:** Page 149: "The OPP undertake a comprehensive analysis of the field organization including assessment of the implications of the agreement on policing and absorption of small forces and the existence of large areas to be policed by the regional forces." The deputy commissioner said they have analysed it. I would like to know the extent to which the analysis has proceeded and, where the analysis has slowed down because they have been unable to carry out the implementation because they are short of money.

**Mr. Gartner:** I have already answered that, Mr. Chairman, in that we have a section in the field division called the Indian and municipal policing section. They are prepared, in the event we are directed to take these forces over, to expand our organization to take them over. We've also considered that, if this is ordered, we will take everyone who is a policeman in

all these municipalities. There are certain rules or guidelines in that but we are willing to do that and we are prepared to do it.

**Mr. Singer:** That's fine. You are willing to do it and you are prepared to do it. How many forces are you willing to take over, how many are you prepared to take over and what's delaying it?

**Mr. Gartner:** When we get an order to take them over.

**Mr. Singer:** All right, Mr. Minister, to you—when is the order coming? Why have you not acted on their recommendation?

**Hon. Mr. MacBeth:** I'm not sure. It's one of those things we are considering and I am not going to guarantee that it will be done tomorrow or the next day. There are other factors involved such as the little matter of dollars and cents and that's what we were talking about earlier. I admit that is a desirable and a laudable objective but it has to be done within the realm of the—

**Mr. Sargent:** You would do it if you had the money?

**Hon. Mr. MacBeth:** If we get the money, I think maybe we would be glad to do it.

**Mr. Singer:** My colleague from Owen Sound has a very good point. If the only answer is that you are short of money, why do you not ask for more?

**Hon. Mr. MacBeth:** That's not the only answer; there's autonomy and the wishes of the local municipalities.

**Mr. Singer:** Why, then, have you put on page 1, implementation completed; 91/170, June, 1976, status report, 2.4 and 2.5? You say you have done it. Now the gentleman from the OPP says "We've recommended it." You say you can't do it because you haven't the money. Sargent emphasized you can't do it because you haven't got the money. Who is right. You? He? Sargent? Me? Why don't you do it?

**Hon. Mr. MacBeth:** There are two or three things involved. Talk about gobbledegook here tonight; I think it's coming from the questions as well.

**Mr. Acting Chairman:** Gook, not goof?

**Hon. Mr. MacBeth:** This is an analysis which is apart from the practicality of the thing, and I think the analysis has been made.

**Mr. Gartner:** That's right. I didn't say we recommended it; we said we were able to it if ordered to do so.

**Mr. Singer:** Surely, you are not saying you analyse in the air? Surely to goodness, when you are analysing and recommending for the improvement of policing in the Province of Ontario you do it with a view to achieving that objective?

**Hon. Mr. MacBeth:** That's right.

**Mr. Singer:** Let's get caught on the administrative side; let's go back to you. If these fellows say do it and you say you haven't got any money, it's not their fault; it's your fault.

**Hon. Mr. MacBeth:** They are recommending that an analysis be made. Now the analysis has been made, as I understand it, and they are recommending that they should be taken over. It's the taking over, I say, which has to wait for sufficient financing, for working out with the municipalities involved rather than us simply walking in and saying: "This is going to be it." Likewise it has to be done with some degree of staging. There's a limit to how much we can digest at one time. I am not suggesting for one minute that the digestion period is what is holding us up. It is money and agreements.

**Mr. Singer:** Can I use your phrase "degree of staging;" and could you tell me what the degree of staging is that you have set as a result of the analysis presented to you by the OPP?

**Hon. Mr. MacBeth:** I don't know of any immediate staging that has been scheduled at the present time. Maybe the deputy can give you some answers.

**Mr. Singer:** Do you just have a page that says analysis from the OPP?

**Mr. Russell:** We have made a breakdown on costs of policing with various alternatives as to what might be done. I am sorry I can't give you the complete details. I think there are four alternatives we came out with. We took it to the policy field where it was discussed at several meetings. This is the work in the policy field. From there it was referred to TEIGA.

**Mr. Sargent:** Is it in order to ask a question here or make an interjection?

**Mr. Chairman:** No, it really isn't, Mr. Sargent, unless it is very important.

**Mr. Sargent:** I don't understand what is going on here. Do I understand that the take-

over of policing on the wide sphere is a matter of money?

**Hon. Mr. MacBeth:** Certainly that is one of the factors.

**Mr. Sargent:** It is? We have a big ball game to talk about then. Keep on going. It is a shocking thing to talk about, but let's go.

**Hon. Mr. MacBeth:** It is not shocking at all. That is one of the things that makes the world go round

**Mr. Sargent:** Okay, let's go Mr. Chairman. I'm trying to track this guy down a bit.

**Mr. Chairman:** If you behave, we will let Mr. Singer carry on here.

**Mr. Singer:** Let me leave that. I am not very happy with that because I don't think you have answered a thing. I think you have run it round in great circles.

**Mr. Sargent:** Let's get on and carry it.

**Mr. Singer:** Recommendation 8.2 on organization, page 153, recommends:

The Police Act be changed so that clause 42(2) reads: "Subject to the direction of the Solicitor General, the commissioner has the general control and administration of the Ontario Provincial Police Force, and the personnel connected therewith."

Then when we look through 8.2 on this we find, "implementation underway". Why would it have to be underway? Why couldn't you either do it or not do it. That one is fairly simple. All you have to do is bring in an amendment to the Act. Why couldn't you do it?

**Mr. Russell:** I think everyone is agreed when the Police Act comes up for amendment that will be one of the changes.

**Mr. Singer:** All right, great. Do you anticipate immediate amendments, say in the present session of the 30th Legislature?

**Hon. Mr. MacBeth:** No, sir.

**Mr. Singer:** So really you don't feel that is very urgent, even though the task force felt this was important.

**Hon. Mr. MacBeth:** Mr. Singer, let's take a look at the task force. As you know, there are many reports that come before government on many fields. I can think of one on the Ontario Municipal Board where very few of the recommendations have been implemented. Take a look at that task force on policing in this province.

**Mr. Singer:** I certainly have.

**Hon. Mr. MacBeth:** You will find more of the recommendations have been implemented than in many other reports. I don't suggest for one minute that all of them will ever be implemented, for various reasons. I have mentioned one of the factors involved is a matter of finance and money.

**Mr. Singer:** I have touched on what I think are a few of the highlights. I haven't by any means touched on this. At the moment I am not going to even talk about Arthur Maloney's report which is a very good one. Let me just ask you one general question on this and on the RCMP one, which you were good enough to supply to me. What have you thought about an ombudsman for policemen and complaints of police about their forces, and complaints about the public to the police. Do you like that?

**Hon. Mr. MacBeth:** Some improvement in protecting the rights of the police of the province is necessary.

**Mr. Singer:** A great statement. Certainly it clarifies the situation. Are you prepared to implement at all what Maloney says or anything that Maloney says?

**Hon. Mr. MacBeth:** Some parts.

**Mr. Singer:** Which parts.

**Hon. Mr. MacBeth:** You are not going to tack me down that way as to which parts, because I have said earlier—

**Mr. Sargent:** That you don't know.

**Hon. Mr. MacBeth:** —that we don't know yet because we are waiting for the Morand report. Let's be sensible about this now.

**Mr. Singer:** Okay.

**Hon. Mr. MacBeth:** I said there was going to be a combination of three, and I said it some time ago. It is going to be a combination of Maloney, Marin, and Mr. Justice Morand.

**Mr. Singer:** Okay, all right.

**Mr. Sargent:** And BS.

**Hon. Mr. MacBeth:** It will be government policy as well. If we get that we will proceed.

**Mr. Singer:** The Globe and Mail on Monday, June 14, 1976 said: "Specific Changes for Police Suggested in Morand Report." I asked you about this in the House.



**Hon. Mr. MacBeth:** And I can't tell you where it came from.

**Mr. Singer:** The Star had a story too. It is fascinating how the Globe and the Star can both write about it. The Star on June 12 said: "Report on Brutality Calls for Changes in Police Methods." I asked you in the House could you try to find out what Mr. Morand says that The Star and the Globe seem to have some idea. Have you been able to find out?

**Hon. Mr. MacBeth:** No. You asked me in committee here.

**Mr. Singer:** I thought I asked you in the House. My colleague confirms that. I thought I asked you in the House the other day.

**Hon. Mr. MacBeth:** I don't know. You asked me, it was in the House was it?

**Mr. Singer:** I think it was.

**Hon. Mr. MacBeth:** I apologize. But anyway, you asked about it, and as far as I understand Mr. Morand had an interview with some of the press people.

**Mr. Singer:** Yes, but you are the minister, you appointed him, you commissioned him. You or your predecessor said: "Please Mr. Justice Morand, go and investigate." He did, and somewhere we got the report in the Star of June 12 and the report in the Globe of June 14 and everybody knows about it except you. I find it very strange.

**Hon. Mr. MacBeth:** I wasn't invited to the meeting.

**Mr. Singer:** You must feel picked on.

**Hon. Mr. MacBeth:** No I don't, I don't at all. I am not trying to tell the judges who they should talk to or whom they shouldn't talk to.

**Mr. Singer:** Oh okay.

**Hon. Mr. MacBeth:** Just listen; the report ends up that he expects it to be in the hands of the Solicitor General at the beginning of July.

**Mr. Singer:** Yes. After we have gone home and we can no longer ask you about it. I think, Mr. Minister, since you have said July 1, I think this is rather unfortunate, quite derogative of the usefulness of this committee, and quite arrogant about the usefulness of the Legislature. A great sum of public money was spent on the setting up of this commission. The figure of a million

dollars—I don't know whether that is correct or not, but a lot of the money has been spent.

Mr. Justice Morand has concluded, apparently, according to reports in two reputable Toronto newspapers, and you can't tell us a thing. You are going to say, maybe by the first of July, after we have all gone home, these recommendations will be there. What do you tell us in addition? A combination of what Morand says, what Maloney says, what this fellow who heads the RCMP says, will be incorporated maybe in some form of government policy. I say you are pushing us off.

**Mr. Sargent:** Right.

**Mr. Singer:** You are pushing us off completely. You are avoiding the very responsibility you should discharge.

**Hon. Mr. MacBeth:** Is Mr. Singer suggesting—

**Mr. Singer:** It's entirely unsatisfactory.

**Hon. Mr. MacBeth:** Is he suggesting for one minute that I have been discussing this report with Mr. Morand?

**Mr. Singer:** I have no idea. Except, I say this, sir—

**Hon. Mr. MacBeth:** Are you suggesting I should?

**Mr. Singer:** No.

**Hon. Mr. MacBeth:** What are you suggesting?

**Mr. Singer:** I am suggesting there has been sufficient information available for the Toronto Daily Star, and the Globe and Mail to write reasonably informed articles about what Mr. Justice Morand is going to recommend. They are there. You have seen them, I have seen them, I have got them here. If you are going to say there is nothing we can say until we have digested that with the RCMP report, that with the Maloney report, and you are only answering to this committee, a responsible committee of an elected Legislature, that it won't happen until after you have gone home, someone has to wonder out loud, and I am wondering out loud, about whether or not the whole legislative process isn't being held in complete disdain.

**Hon. Mr. MacBeth:** How?

**Mr. Singer:** Because if it is there for the papers—and this one is here, this one is here

—then there should be something that you can recommend either to us or to the House.

**Hon. Mr. MacBeth:** Not until I get the Morand report. Now I have not had any discussions with Mr. Morand as to indicate that he should hurry up this report or slow it down. Do you think I should contact him?

**Mr. Singer:** Since there has been this much publicity in the newspapers about it, I think you are negligent in your duty.

**Hon. Mr. MacBeth:** In what way?

**Mr. Singer:** You can't bring before us some positive kind of recommendation relating to these reports. If the papers can get it, surely you can get it, because you are paying the bill.

**Hon. Mr. MacBeth:** How do you want me to get it; by writing to him or telephoning him?

**Mr. Singer:** Why don't you ask Mr. Justice Morand why these reports were here in the Star on June 12 and in the Globe on June 14? Why don't you ask him?

**Hon. Mr. MacBeth:** I haven't been in the custom of contacting judges or questioning their procedures. It may be quite in order that I should do so. At this point I haven't thought it was—

**Mr. Singer:** I suggest to you it is most appropriate, particularly since we will have gone home long before these reports are going to be made available. There is a report there on June 12 and a report there on June 14. Surely to goodness you have got a responsibility, since you are in charge of spending a million dollars of public money, in finding what in the heck is going on.

**Hon. Mr. MacBeth:** I have had no part in suggesting or talking to Justice Morand as to when he may release his report. Now if he sees fit to produce it on July 1, that is his choice. Whether you had that report before you today or tomorrow sometime, certainly the legislation wouldn't be coming forward that quickly.

Now you may think I should act solely on the basis of Mr. Maloney's report, which was prepared for the Metropolitan Toronto Police Commission, or on the Marin report, which had to deal with the RCMP—or the Morand report which we requested. But it seems to me that we should act on the latter one and put considerable weight to that and not proceed without it.

Certainly, anything that we produce will be considered opinion on all three reports. But certainly we will wait for the Morand report which we requested. To expect us to go off on the basis of the other two with recommendations before we receive our own, I think is most unreasonable.

**Mr. Singer:** Are you suggesting that in view of these two newspaper articles, you haven't even the faintest little nibbling of curiosity as to where they originated. These aren't just sort of gossip things; things that run up and down the corridors here at Queen's Park. These are articles in responsible journals. Surely you have a responsibility to try and find out and inform us on the basis of the reports.

If you come in and say Mr. Justice Morand says it is all a figment of somebody's imagination,—fine, we would accept that; but you haven't inquired.

**Hon. Mr. MacBeth:** No, I haven't. I don't think I need to inquire. As you say, the Globe and Mail is a reputable newspaper. Look at paragraph two: "Mr. Justice Donald Morand of the Ontario Supreme Court, who headed the inquiry into allegations of police brutality by Toronto police—"

**Mr. Singer:** Oh, you have got it there.

**Hon. Mr. MacBeth:** "—said in an interview that report would go to the printers by next Friday and would include comments on police training in a proposed complaint bureau."

Now why do you want me to find out more than what is said there? Do you want me to telephone him and say he shouldn't have been giving an interview, or do you want me to phone him and say what did you say or what does your report say?

**Mr. Singer:** Mr. Minister, I suggest to you that you are playing fast and loose with this committee, and I suggest that in all seriousness. You know that we are here and the schedule the House leaders have produced is that we will be gone by Tuesday of next week. And if Mr. Justice Morand does what he says and he doesn't bring in a report until July 1, then we will have been long gone by the time we see his report.

For whatever it is worth, he told the Star and the Globe and Mail; and we have got the Maloney report and we have got the RCMP report. And you haven't got a damn thing to tell us. I say you are negligent.

**Hon. Mr. MacBeth:** Mr. Chairman, I reject that and I think you know that is not true, too. What exactly are you saying I am negligent about? Let's be more specific.

**Mr. Singer:** I am saying that you're negligent in that you are not able to bring to us the indications of the ministry as to what you are going to do. Maloney reported here on May 12, 1975, and this has been dangling for 14 months now.

**Hon. Mr. MacBeth:** Do you want me to act on the Maloney report alone?

**Mr. Singer:** The RCMP report is a recent one. Morand's report is quite recent, but he has seen fit to talk to the press about it. It is a very important problem of public policy as to what you are going to do, and you haven't got a single answer for us. You are going to dilly-dally for a further period. I think that is negligent.

**Hon. Mr. MacBeth:** It is not a case of dilly-dallying. It is a case of waiting for Mr. Morand to report.

**Mr. Singer:** Oh, you can wait until you have got the 99th report, until we are not here that we can talk to you about it.

**Hon. Mr. MacBeth:** We didn't commission Mr. Maloney, nor did we commission the RCMP judge.

**Mr. Singer:** You commissioned Morand—and he talks to the newspaper.

**Hon. Mr. MacBeth:** That is correct. Now, you know the background of Mr. Morand's problems, as far as the busy schedules he has had with two or three trials. I have had nothing to do with when he will deliver his report. That is his decision to make. I have not, as I think you are suggesting, asked to hold off in some way. If that is your suggestion, there is no truth in it whatsoever.

**So I say:** How have I been negligent? Be specific. Because I haven't acted, I gather. You are saying I am negligent because I haven't acted on the other two reports—that I should have proceeded without receiving Mr. Morand's report. Is that what you are suggesting?

**Mr. Singer:** I am suggesting to you, sir—and if you can't see it, I guess I don't communicate very well—I am suggesting to you, sir, that this report is here, the Maloney report is a year old. Morand has been talking to the newspapers since June 12 and 14. We are here. We are going to depart from this place

in a few days. We are going to leave without hearing your views or your recommendations or how you are going to remedy the problems about police complaints, about police brutality, about all these very important things, a police ombudsman and all these things.

**Hon. Mr. MacBeth:** You will have ample opportunity to do that when you come back and you know it.

**Mr. Singer:** You have no answers and I say you are negligible.

**Hon. Mr. MacBeth:** Do you think this is going to become law without the House having a chance to examine it? You will have all sorts of opportunities to examine Mr. Justice Morand's report.

Interjections.

**Hon. Mr. MacBeth:** How should I know? It may be your idea of justice that I should know what's in that report before it is published—

**Mr. Sargent:** What are you getting paid for?

**Hon. Mr. MacBeth:** I certainly am not getting paid to know what the judge says in his report before it's published.

**Mr. Sargent:** It's in the book.

**Hon. Mr. MacBeth:** In what book? I know what's in Maloney's report.

**Mr. Sargent:** You don't know very much about it.

**Mr. Singer:** There are 271 pages.

**Hon. Mr. MacBeth:** What do you mean I don't know very much? I know if we implemented that it would cost a little bit of money.

**Mr. Chairman:** Mr. Singer, are you finished?

**Mr. Singer:** Yes.

**Mr. Haggerty:** I want to deal with this particular vote as it relates to the former Fort Erie OPP detachment—

**Mr. Sargent:** Can I make a motion for the minister to resign right now?

**Hon. Mr. MacBeth:** You can make a motion but—

**Mr. Sargent:** It would make it easy for you.

**Mr. Haggerty:** —or the phasing out of the Ontario Provincial Police detachment facilities in the town of Fort Erie. I believe they opened



the new facilities—Rendall Dick was deputy minister at the time—in 1968 or 1969.

**Mr. Erskine:** Fort Erie goes back longer than that. I can remember in 1945, it was there then.

**Mr. Haggerty:** Yes, the detachment has always been in that particular area but you opened new facilities, new offices—

**Mr. Erskine:** An office building.

**Mr. Haggerty:** That's right, a new building, at Central Ave., almost at the entrance to the Peace Bridge in Fort Erie. I believe it was during last fall or December that you phased out the facilities and the police have been transferred to the detachment facilities or offices in Welland and Niagara Falls. As I understand it, the police have to police parts of the Queen Elizabeth Way from Fort Erie to the city limits of Niagara Falls—they may go further than that—and along Highway 3 and they have to do quite a bit of backtracking back to the town of Fort Erie.

The minister is aware of the town of Fort Erie. It is the largest port of entry into Canada from the United States and it plays a rather important role for incoming traffic from the United States. I was wondering at the wisdom of phasing out this office facility and moving the detachment to other areas in the Niagara region such as Welland and Niagara Falls.

**Mr. Erskine:** We did a very extensive study on that and I am very familiar with that area. It was a very small detachment because that area has been taken over by the Niagara regional police department. They police Fort Erie, the townships of Willoughby and Bertie and all the area around there so what we were doing out of Fort Erie was simply highway patrol.

We find we can give better coverage by operating a larger group of men out of a detachment and doing zone policing than we can by having a small group of men like we had in Fort Erie. Most of the men are still living there and to my knowledge, except for one verbal complaint, I don't think we have had a single complaint about the closing down of that detachment.

**Mr. Haggerty:** I am sure the chamber of commerce in the town of Fort Erie raised complaints about it as much as the council of the town of Fort Erie and area residents have. I can't see your thinking on it or why you would pull it out of that particular area when you have a community, about seven or eight miles from there, where in the summertime you have some 17 police officers policing the former

village of Crystal Beach which now is in the town of Fort Erie.

**Mr. Erskine:** We go there and increase our people and put them on summer detachment. Again, that should be the responsibility of the municipality of the region of Niagara.

**Mr. Haggerty:** When you make that comment, in other areas where we have large resorts the municipalities should be finding their own police.

**Mr. Erskine:** No, that's the only resort I can think of in an area policed by a regional police department.

**Mr. Haggerty:** That's right, but the question is, is it a resort area? I think under your guidelines established by the Police Commission or the Ontario Provincial Police, you go into the resort area. Crystal Beach, I guess it is, had a normal population before it went into regional government of about 1,500 and it increased to some 10,000 or 12,000 in the summertime, and they were all pretty well American residents or American tourists who came into the area. So it does cause quite a problem even for the regional police to be policing it. Where are they going to pick up 17 additional men in the summertime?

**Mr. Erskine:** We just have a small number of men in Fort Erie, and they were not policing Crystal Beach. We bring men in from other parts of the province to augment our detachment at Crystal Beach for the summertime. There weren't enough officers in the Fort Erie detachment to give round-the-clock coverage, considering days off and training and so on.

**Mr. Haggerty:** Why would you move into the city of Welland when you have about six miles of provincial highways that you actually control there? In the Fort Erie area you have Highway 3 up to the city of Port Colborne and on up to the town of Dunnville, and then you have the Queen Elizabeth Way patrol there.

**Mr. Erskine:** To the best of my knowledge, the officers are still living in Fort Erie and they police in zones and there is a zone down in that area. The only difference is that by putting them into two larger detachments there is a greater number of men to share the workload and they overlap on each other's area. To the best of my knowledge and —

**Mr. Haggerty:** Has it been a cost saving move? Let's put it that way.

**Mr. Erskine:** It would be a cost saving move in that we don't have to operate the detachment office in Fort Erie.

**Mr. Haggerty:** What would you save a year by it—\$10,000, \$15,000, \$20,000?

**Mr. Erskine:** I haven't got a figure, sir.

**Mr. Haggerty:** Then how can you say it's a cost saving move?

**Mr. Erskine:** I would have it on file at the office. I might say, as I said a few minutes ago, I checked that file very recently and there isn't a single complaint from the chamber of commerce or the council of Fort Erie.

**Mr. Haggerty:** I received a letter from the town of Fort Erie, from the mayor and council, and I'm sure that you must have received the same one because I forwarded a letter to the minister, I think, at the time.

**Hon. Mr. MacBeth:** You may have written to me too. I think I spoke to you about it.

**Mr. Haggerty:** I thought it was a kind of a weak response, though, and that's the reason I was raising the matter now. What do you intend to do with the present facilities that are here now, the building that sits idle?

**Mr. Gartner:** It's not our building. It's Government Services'. I don't know what they are doing with it.

**Mr. Haggerty:** You don't know.

**Hon. Mr. MacBeth:** I don't know that.

**Mr. Haggerty:** I heard rumours that they were going to use it for court facilities in the area, phasing the one out in the former township of Bertie and Ridgeway and moving down there. I don't know.

**Hon. Mr. MacBeth:** I can check with the Minister of Government Services (Mrs. Scrivener) and see if they have any plans for it.

**Mr. Haggerty:** The member for Wilson Heights (Mr. Singer) was discussing with the minister the cost of policing in the Province of Ontario, and if I can recall, Vern, a couple of years ago I think both you and I were on this matter. As I understand, at one time there were discussions with the federal Minister of Justice or whoever looks after the policy field in this particular area as it relates to sharing of the cost of policing. If I can recall, there were supposed to have been some meetings or hearings with the federal government along with the provincial government, maybe your predecessor, on trying to arrive at a cost sharing plan to reduce some of the cost of policing in the Province of Ontario, similar to what you have in the Province of Quebec and other provinces where the Royal Canadian Mounted Police

may be doing all the policing on a cost-sharing basis. I've raised this matter with you before and I think it should be the responsibility of the federal government to pay some of the costs of policing in the Province of Ontario. After all you do police their federal regulations. I was just wondering, have you anything further to report on those meetings with the federal people?

**Hon. Mr. MacBeth:** I think the deputy can speak on that. I hope to have further meetings with the federal authorities, mainly in connection with waterway policing and things of that nature, where they used to take a more active part than they are presently taking. As for some of the questions you have raised, I think maybe the deputy minister has more recent information.

[9:45]

**Mr. Russell:** If I might just go back a little, Mr. Haggerty, this refers to the provinces that have contracts with the RCMP for policing. Except for Quebec and Ontario, the other provinces had those contracts, which they entered into in 1966 for a period of 10 years; 60 per cent was payable by the federal authority, and that decreased by one per cent a year to 50 per cent in 1976, which is the current year, when the contracts are to be renegotiated.

In 1973, Quebec made a claim on Ottawa for more than \$300 million, which they claimed was owing to them for the period 1966 to 1973. The member for Burlington South (Mr. Kerr) was the Solicitor General at the time and, using the same tactics and the same figures, he made a presentation to Ottawa at one of the meetings in Quebec City for \$379 million.

We were turned down pretty flatly by Ottawa at that time. We were turned down in 1973 and again in 1974. The answer from Warren Allmand was that "if you want a contract with the RCMP, we will give you one; we will put the RCMP in." Well, this doesn't sit too well with us; we have to maintain the autonomy of the police, the OPP and so on.

The federal government too, Allmand claimed, is providing services for which it pays 100 per cent—the CPIC system, the Canadian Police College, capital construction of RCMP buildings and so on. The RCMP also do a certain amount of policing of the federal statutes in the province.

Going back to last year, there is a great furore going on about the new contracts. Ottawa wants the contracts to be on a



straight fee-for-service basis rather than the way it is now, so they are approaching the other eight provinces and saying, "You are going to pay more." The provinces claim the costs of policing are going up so much that Ottawa should be paying more rather than less.

The new contract has not been negotiated yet; it is supposed to be negotiated very shortly. Maybe the Attorneys General are talking about it now in Vancouver, or will be in the next three days. Our claims are in, but we have had no success, so we are waiting for the new contract to come out. We want to see what the new contract is. If it is a straight fee-for-service basis, we can't do too much. If it is the other way, if they are going to pay more money, our claim will be stronger, but we have not been successful in getting any money.

The minister and I were in Montreal a couple of weeks ago and spoke to Warren Allmand and his deputy, but the discussion was pretty much the same; he wasn't giving in at all.

**Mr. Haggerty:** Is anybody else in the government making representation on your behalf for cost-sharing of policing?

**Hon. Mr. MacBeth:** No, I don't think so—

**Mr. Haggerty:** What takes place when the Treasurer heads to Ottawa?

**Hon. Mr. MacBeth:** He is aware of the claim, of course, but—

**Mr. Haggerty:** Is he pushing it at all?

**Hon. Mr. MacBeth:** I don't know. I would suspect he is not, but I don't know.

**Mr. Russell:** I have talked to Rendall Dick, his deputy, about this and he is well aware of it. Certainly they have this in mind when they go on to other matters. I have had correspondence with Mr. Dick about this, so the deputy does know. This discussion is ongoing.

**Mr. Haggerty:** I was just wondering whether this shouldn't be pursued a little more strongly at the finance ministers' meeting in Ottawa. I think the federal government should have a responsibility in this particular field; certainly it could give some assistance in terms of the cost of local policing in areas such as the Niagara region. There is enough slack in that particular area about the cost of policing, and there has got to be additional financial aid to the region of Niagara for policing.

You just can't keep going to taxpayers to pay for something over which, in a sense, they have little control. At one time the local police used to be able to go out and enforce the local municipal bylaws. Today, each municipality has to go out and hire additional bylaw officers to enforce its own bylaws such as the matters relating to dog control or something like that.

I think you have got to take another look at the matter of policing in the regional municipalities, because the cost is becoming unbearable to the taxpayer. I suggest you are going to have to do some hard bargaining at Ottawa so that some of the grants and assistance can be passed back to the police commissions in the regions.

**Hon. Mr. MacBeth:** I would agree that, as far as Ottawa and Ontario and Quebec are concerned, they are not paying the same cost of policing in those two provinces as they are paying in the other provinces where they are in greater evidence. We've discussed the claim. I have discussed it with Mr. Allmand and I assume in the future I'll press it again. Their reply is that, rather than contribute more to ours, they want to charge the other provinces a greater proportion. It might bring equity across the whole 10 provinces if they charge the proper amount for the policing that they do in the other eight provinces.

As far as having any hopes of collecting it goes, we don't. I shouldn't say we don't but I can't see we're going to collect it. I don't know how hard the Treasurer will press it. But certainly we've had a pretty direct turn down by the federal government at the present time.

**Mr. Haggerty:** Has your ministry gone into any study at all on the policing cost as it relates to property taxes in any municipality in Ontario?

**Hon. Mr. MacBeth:** Only that they're so heavy. We know municipalities are having a rough time financing their policing. Pretty well all of the municipal councils have been in touch with me about the cost of two-man cars and many, many other things involved.

I just had a little difference of opinion with Mr. Singer as to putting added costs on some of these municipalities by way of putting a very costly appeal system for the public against the police. I said quite bluntly that dollars and cents are one of the factors that we have to look at. We have to look at them. Certainly the municipalities have to look at them and, obviously, Ottawa is look-



ing at them because it is saying to us there are no more funds. There are some special areas I want to follow up with them. It concerns areas like Sarnia and Windsor where I think they should be doing more of the international policing than they are.

**Mr. Haggerty:** What about Fort Erie then?

**Hon. Mr. MacBeth:** Fort Erie or any of the international towns would be included. I'm thinking of waterways.

**Mr. B. Newman:** Border towns.

**Hon. Mr. MacBeth:** Yes, border towns where they used to do more. I'd like to follow that up with them.

**Mr. Haggerty:** This is one of the problems. You're talking about policing water. In the regional municipality of Niagara I believe they have a couple of small motor craft there in which they go out and police Lake Erie. That's quite an area itself. To police that is an extra cost on to the property taxes in the area too. I thought maybe you should be looking into this particular field.

A few years ago the police used to do many other policing matters in a municipality, as I said about municipal bylaws. But today they're on the highways and they're policing the liquor laws and the Criminal Code of Canada which actually has no bearing at all on municipal taxes.

**Hon. Mr. MacBeth:** I know that the Police Commission has some comparative figures that you'll be interested in when we come to them.

**Mr. Haggerty:** What about the Liquor Licence Board in the Province of Ontario? Are they figuring on coming up with any additional grants to municipalities for their cost of sharing the policing the hotels and other places?

**Hon. Mr. MacBeth:** Not that I know of.

**Mr. Haggerty:** I just wondered.

**Hon. Mr. MacBeth:** I don't know whether you take any consideration when you're making agreements with municipalities of how many hotels there are.

**Mr. Haggerty:** At one time municipalities used to get a grant every year. This was an allowance to police the hotels and that. There are more being opened today and more outlets. Perhaps there should be a greater share of the liquor licence revenue going back to

some of these municipalities to police such an area as that.

**Mr. Sargent:** God forbid! We're getting to be a police state. Let's get away from the police.

**Hon. Mr. MacBeth:** Do you want less police?

**Mr. Sargent:** Yes, less police.

**Hon. Mr. MacBeth:** That view is not generally shared.

**Mr. Sargent:** It isn't? Now tell this—

**Mr. Chairman:** Your turn will come. Mr. Haggerty, are you finished?

**Mr. Haggerty:** Yes, you police Lincoln too, do you not? Yes, west Lincoln. I have no further questions.

**Mr. McCague:** Mr. Chairman, there was reference earlier tonight to the Angus police force which, in fact, was the township of Essa police. The reason that that is being policed by the OPP is that the township didn't renew the contract for the men when it came up and they just disappeared, as I understand it. Have you any agreement now with Essa township?

**Mr. Gartner:** None.

**Mr. McCague:** The other day Mr. Singer was talking about this business of taking over small police forces and, not to be critical, but if you listen to the residents of Angus, for instance, your service, even though the price is right, isn't adequate according to them, not as adequate as was the police force that the township did have. You may wish to comment on that.

**Mr. Gartner:** With the additional workload and no additional men in the area, it is only natural that they won't get the same service that they get with their own police force.

**Hon. Mr. MacBeth:** Have you any idea what it was costing them before and what it is costing them now?

**Mr. McCague:** It is not costing them anything now, so it certainly was a benefit.

**Mr. Sargent:** It sounds like a very conservative statement.

**Mr. Erskine:** Perhaps if we could get the amount of money it was costing them before, sir, we could put extra men in there. If they would pay for that service, we could put the same number of men that they were paying for

before, right in there. We haven't got them there, they are in another detachment.

**Mr. Sargent:** Somebody's paying for it.

**Mr. McCague:** What would your policy be today if a police force becomes non-existent in a place like that, in a town or in a township?

**Mr. Gartner:** We are required to take it over, such as in Brighton; their police force quit, but that was no real problem because our detachment is right in Brighton.

**Mr. McCague:** Are you being paid for that?

**Mr. Gartner:** No, but they lost their per capita grant.

**Mr. McCague:** Is the per capita grant still \$8?

**Mr. Gartner:** For that level of municipality, yes; \$12 for regional.

**Mr. McCague:** It's \$8 for all towns and townships?

**Mr. Gartner:** Yes, I don't know the population, but it is \$8 for smaller towns and \$12 for large cities and regions.

**Mr. McCague:** Mr. Minister, I think even though there is a recommendation in a task force report that all small forces be taken over, I am not sure that all small towns want their forces taken over. I am going somewhat on hearsay, but as I understand it the OPP is not offering to small municipalities the same level of service as they are able to get with their own forces.

There are certain things that they don't wish to do that a local force will do. I know you're aware of that, but I think you should keep it in mind and not be issuing an edict some day that they all come under the OPP. It's been mentioned before tonight that maybe the ability of some of the people on the local forces might not match what the OPP would ask, but I can tell you that some of those people are very adequate for some of the smaller towns.

I do think, though, that you should be looking very carefully at coming very quickly to a fair system all over the province. Within my own riding there are many inequities that I think should be corrected as soon as you have the funds.

**Hon. Mr. MacBeth:** Those inequities have grown up over the years and there's nothing static in the way of the assessment of the municipality or its size or the conditions it has to meet. I admit that we've fallen behind in

trying to make some equality of size of municipality and cost involved for policing.

[10:00]

When Mr. Singer was questioning me on it, I said financing was a factor; I was thinking of financing at the municipal level as well as our own. I said that was only one of the factors and that local agreement or local option had something to do with it, too. We might encourage a local municipality to let us do the job for them but, on the other hand, as far as I know we've never forced a municipality.

**Mr. Sargent:** Why would you do that?

**Hon. Mr. MacBeth:** Simply because we think we might be able to do the job better and for the very reason that Mr. Singer was suggesting—that one-, two- and three-man police forces are not the most efficient in the—

**Mr. Sargent:** In whose opinion?

**Hon. Mr. MacBeth:** —opinion of the task force. Mr. Singer was treating the task force as a bible. I suggest that because we didn't adopt everything the task force recommended, we might have some very good reasons for not doing so. There's an example of it. If the local municipality figures it's getting the kind of policing the people want at the right price we're not about to force them into that. On the other hand, we might try to persuade them if we think their policing is not up to scratch.

**Mr. Sargent:** Why would you persuade them?

**Hon. Mr. MacBeth:** We may think that their policing is not up to what it should be.

**Mr. Sargent:** Baloney.

**Hon. Mr. MacBeth:** On the other hand, I also mentioned the capability to digest, and with our own restraints at the present time we can't absorb small forces overnight.

**Mr. Sargent:** Why don't you tell them that you want to centralize the police forces of Ontario? That's what you're trying to say.

**Hon. Mr. MacBeth:** We're not necessarily centralizing the police forces.

**Mr. Sargent:** He walked into it.

**Hon. Mr. MacBeth:** You can't win in this game. You tell one member of the caucus one thing and get criticized for it; you tell

another member and get criticized for the same answer but in a different direction.

**Mr. Sargent:** You're talking out of both sides of your mouth, that's why.

**Hon. Mr. MacBeth:** No. I need two sides of my mouth to talk to some members of your caucus, that's the problem.

**Mr. B. Newman:** Now, John.

**Hon. Mr. MacBeth:** I think you've had pretty good evidence in Mr. Singer and Mr. Sargent.

**Mr. McCague:** It's interesting to note the high regard in which Mr. Singer holds regional government and hear him trying to persuade you to put all police forces on a province-wide basis. I think it's a direct conflict. I think Mr. Sargent and I share something. We have always felt we could run our affairs pretty well up in that mid-north country without regionalization, and it may well apply to the police forces.

**Mr. Sargent:** Stay the hell out of our areas.

**Hon. Mr. MacBeth:** If I have any choice I will.

**Mr. Chairman:** Mr. Sargent, you may begin to speak now.

**Mr. Sargent:** He's running Liberal next time.

**Hon. Mr. MacBeth:** The request, I'm informed, has always come from the municipality before we moved in anyway. That might be some solace to you, but I don't think Mr. Singer thinks that we should wait for that request.

**Mr. Sargent:** He's a newcomer; he doesn't know.

**Mr. Chairman:** You're on, Eddie.

**Mr. Sargent:** I think Jack Spence was next, wasn't he? I want to dispel any fears that Jane Allen may have. She's the daughter of my secretary in Owen Sound. Marge Allen has been, for years, treasurer-secretary in my operation in Owen Sound. Jane is her daughter and she has great respect for you, Mr. Minister, and I wanted to dispel any fear she may have because any time you move a minister's resignation it only cements his job.

**Hon. Mr. MacBeth:** She may have to decide who she is going to respect, you or me.

**Mr. Sargent:** But the motion still goes some times.

After 35 years in government I want to say I have a growing fear, like my good friend, George McCague, for the autonomy of the local areas to run their own affairs. We have a progressive centralization of powers in Queen's Park and believe me, as I get older, not gracefully, I feel we are getting toward a police state in our affairs. Every time this Legislature sits we have 170 pieces of legislation which narrow the rights of people.

One thing which augments that and increases my fears for the rights of people is the OPP. I say that kindly because only a few months ago I had occasion to be in great fear for my life and those of my family and staff because of threats on my life and extortion.

The OPP moved into my city and they did a magnificent job. It only enhanced my opinion of the great force we have in the OPP, insofar as the CID is concerned.

I have always been critical of police powers, but I do compliment the OPP on their expertise and in protecting the rights of a person when they are in trouble. I say that kindly and with respect. I did want to say that, and that is why I waited here and listened to my colleague from Wilson Heights and his concern expressed about the ministry following up reports.

My concern in this same area is the terrific load on you in the area of law enforcement. I don't know how you can hope to answer all these things. I am concerned about the fact that James Mackey, when he was the chief of police in Toronto, admitted he was aware that thousands of electronic listening devices were being used in the city of Toronto each year. I am concerned about the powers that you people have in this area and the rights of people, and so on. But I won't get into that now, because it isn't in this vote.

I am going back to the right that George McCague was talking about; the right of municipalities to run their own police affairs. I am concerned about the statement you made, Mr. Minister, that you would take over more policing if you had the money. The end result of that is—and I will quit shortly—that we would have a completely centralized police force in Ontario if you had the money to do it. And, by God, I hope that time will never come, because a centralized police force is a dangerous thing.

You have the right to tax in Ontario, and the right to tax is the power to destroy. You control all the taxation from Queen's Park, you control education from Queen's Park,



you control health from Queen's Park, and you almost control policing from Queen's Park. What the hell rights do we have left? All we have left in the municipalities is the right to run our garbage collection.

**Mr. B. Newman:** And pay taxes.

**Mr. Sargent:** And pay taxes. You tell me what else we will have left when you guys are finished here? You are the chief law enforcement officer here in Ontario, outside of the Attorney General (Mr. McMurtry), who is a do-gooder guy. All he is doing is getting press. You tell me what we have left here when you walk in and say to the smallest municipalities in this province that you are going to do the policing for them when you have the money? I think it's wrong, and I want you to tell me if that is the policy of your government.

**Hon. Mr. MacBeth:** We were talking about—and Mr. Singer used the figure—10 persons or less on a police force. The thought was expressed by the task force that you need a police force of a certain size to do an adequate job. In other words, if you have a one-man force, or a two-man force, it's hard to have round-the-clock protection. So that somewhere there is an optimum size for a police force. If the local municipality is sufficiently small or if its resources, from lack of assessment, are not sufficiently large to provide a police force of a certain size and with certain equipment—which in today's language means radio communication and radar, and all the rest of it—then it can't do an adequate job. In those cases the province, or the OPP, should be assisting in some way or another, whether we do it by contract or whether we move in. As I say, my information is that we have never moved in without a request from the municipality involved, and we're not talking about getting rid of the municipal forces.

**Mr. Sargent:** But you are. Just one moment. If they had the money to do it locally, they'd do it themselves, wouldn't they?

**Hon. Mr. MacBeth:** It all depends on their size. I suppose if we gave them grants they might do it themselves.

**Mr. Sargent:** They need the money to pay for the policing. They don't want policing from Queen's Park here.

**Hon. Mr. MacBeth:** Say it is a town of 1,000 people. How are they going to afford to have a force of, say, 10 people?

**Mr. Sargent:** There's enough money in every village and every town and city in this goddamn Dominion for it to do its own thing locally if the money is left there, but you milk it out and bring it down here and feed it back. You know that is true. Don't give me this jazz about the money not being there; the money is there locally to do it in the first place.

**Hon. Mr. MacBeth:** If you want a supporter for reorganizing the tax system of this country, I'm the first supporter of it. I think the people who have the greatest need for money are the municipal people; they give you the best service and the best value for your tax dollar. Next in line is the province, which has the cost of health care, the cost of roads and schools on its shoulders, and least is the federal government for its BNA responsibilities. Apart from such things as looking after international relations and national defence, they have very little that requires large expenditures of money but, as you know, they get the lion's share of the tax dollar. So I'm in agreement with you.

**Mr. Sargent:** The policy of the government is not to have a centralized police force in Ontario?

**Hon. Mr. MacBeth:** Absolutely not.

**Mr. Sargent:** So why are you doing it then?

**Hon. Mr. MacBeth:** I have just given you good reasons why we did it. If the local municipality can't adequately police itself I suggest—

**Mr. Sargent:** Because you milked all their tax sources.

**Hon. Mr. MacBeth:** You are talking about two different things.

**Mr. Sargent:** I guess I am.

**Mr. Spence:** Mr. Chairman, I wanted to bring to the attention of the minister that I have been contacted by citizens and the mayor of the town of Dresden. It is a town of 2,400 people and this year its budget for policing that town is \$84,859, which they find quite a burden for a town of 2,400 population. In this town they have a racetrack and the racetrack is within the boundaries of the town. A four-man municipal police force isn't sufficient to police the town properly.

The government gets seven per cent of the pari mutuel betting, which means a lot of money, and when the races are on, from the end of June to the end of July or in that neighbourhood, the population in the town increases. The town needs another man added to the

municipal police force, but it's just a burden on the taxpayers to police their town.

I think the mayor came to Toronto and brought this to the attention of you or some of your officials. He says here, in an article in the paper, that he has been preaching that the town obtain Ontario Provincial Police protection to police the town. This is a hardship on this town and I hope, Mr. Minister, you would look into this and see if something can be done. When there is a racetrack it really needs policing and four municipal police are not sufficient. I would just like you to give this consideration. To me the cost \$84,859 is a lot of money.

[10:15]

**Mr. Sargent:** I'll pay it myself if you keep the OPP out there.

**Mr. Spence:** We'll take your grants and we'll send you the bill.

**Mr. Sargent:** But it is terrible asking for this.

**Mr. Spence:** That's right.

**Mr. Sargent:** What's happened to the thing? You've milked us dry and you're coming in the back door.

**Mr. Spence:** No, but these citizens have—

**Hon. Mr. MacBeth:** You haven't been milked dry.

**Mr. Spence:** The citizens feel it is a burden. They need one more municipal policeman in order to police the town fairly. Race time, when the government takes seven per cent off the track, draws tremendous crowds to these races in a town of 2,400. I hope you would look into this. I know this is a time of restraint but that racetrack is making the government quite a bit of money and I hope some more assistance can be produced. In the county of Kent, they are making a study of restructuring. As I understand by this article, if restructuring of municipal government passes, and we don't know whether it will or not, but they would get \$30,000 on account for policing by the provincial police. Is that right?

**Hon. Mr. MacBeth:** I can't give you the figure.

**Mr. Spence:** No, but it is in the neighbourhood of \$12 per capita?

**Mr. Gartner:** Dresden gets a per capita grant of \$8.

**Mr. Spence:** If they went into a restructured government, they would get \$12.

**Hon. Mr. MacBeth:** Yes, for a region.

**Mr. Spence:** I understand they would get \$30,000 which would be a great help in order to hire another man on their municipal force but it is the wish of the mayor that the Ontario Provincial Police would take over the policing of the town of Dresden.

**Hon. Mr. MacBeth:** I referred to Mr. Spence earlier without identification in saying that a member of the Liberal caucus had spoken to me along the line of taking over a local force. Now that you have identified it, that's fine. I didn't know at that time that negotiations or some discussion had been held, which I gather were not fruitful. I haven't been involved in them and I would be pleased to review it.

**Mr. Spence:** I will inform the mayor of the town that you are looking into it.

**Mr. B. Newman:** I wanted to ask the minister just one short question concerning the recent legislation that was passed for the Ministry of Natural Resources that assigns responsibilities now to wardens, to superintendents and so forth in provincial parks and gives them the powers of an OPP officer. Are you people going to give those individuals who now are going to assume those additional responsibilities some type of training so that they can perform their services in a manner in which your regular officers perform them? Likewise, are you going to provide them with some type of identification so that the public, on seeing the individual, know they are being confronted by a person who has OPP responsibilities or has the powers of an officer?

**Hon. Mr. MacBeth:** I think the deputy commissioner has the answer.

**Mr. Gartner:** They have that power now.

**Mr. B. Newman:** Powers were only given to certain individuals in the parks establishment. Now they've been broadened under the recent legislation just passed the other day.

**Mr. Gartner:** That's correct, and we do train them.

**Mr. B. Newman:** You do train them.

**Mr. Gartner:** Yes, we have our training staff from the training college go to their college and train them.

**Mr. B. Newman:** Do you train them in crowd control, such as they would be con-

fronted with when it comes to incidents that may break out in a provincial park? I refer to my own community where we have a large influx of Americans into our parks system. As a result, it may be a little different handling those people from maybe our own.

**Mr. Erskine:** In working with the park people in the policing of the parks, we've learned of the problems that occur there, and, working with our training and development centre staff, and their college staff, we've worked into their training programme the type of training that we feel, from our experience in working in the parks, they require.

**Mr. B. Newman:** Have you already started a programme for the summer months?

**Mr. Erskine:** We're working with them in the parks during the summer months.

**Mr. B. Newman:** I know, but now that these additional responsibilities are being put more on the staff of the Ministry of Natural Resources, it may mean that your people will not be required in some of the parks except in the case of emergency.

**Mr. Gartner:** We'd like to hope that; I haven't seen the new bill, but I think the idea there was that they would be given more of the authority than the actual responsibility. They are working along with our people in the provincial parks, and we're assisting them. I'm not sure whether it will mean we'll have men relieved there or not, but it will give their men authority to carry out their policing duties.

**Hon. Mr. MacBeth:** I would hope it would put some light on it—

**Mr. Erskine:** I would hope so too.

**Hon. Mr. MacBeth:** —because, as I understand it, people knew they didn't have the authority and they were inclined to thumb their noses at them. But now it will be known that they have this authority.

**Mr. B. Newman:** It won't necessarily be known, Mr. Minister; all you see is a park attendant, and you wouldn't have any idea that he would have that authority even if it was posted in the park. But if he had, say, a badge from the OPP, or some other form of identification that you people might wish to give him, it might add a little more credibility to the officer. It might also ease problems; people would be a little more hesitant to act

in certain fashions when they see such an individual as opposed to just a park attendant.

**Mr. Gartner:** I think that's a good suggestion, and we'll certainly follow it up. I don't know if they have any special identification at this time or not.

**Mr. B. Newman:** I only made that suggestion in the hope that they will respect the park employees in the same way that they respect the OPP officers.

**Mr. Chairman:** Shall item 1 carry? Carried. Item 2, staff inspection? Carried. Item 3, in-service training? Carried. Item 4, properties?

**Mr. B. Newman:** Mr. Chairman, may I ask, whether the ministry has stun-guns or that type of weapon? I asked about this two years ago, but I notice they're still being used in some of the states in the United States. You're staying away from that completely, are you?

**Mr. Gartner:** That's right.

**Mr. B. Newman:** Have you tested them?

**Mr. Gartner:** Yes, I think you wrote us some time ago, and we made a reply to you that we had it looked into then and we didn't recommend it for our force.

**Mr. B. Newman:** What about the other type of weapon that throws an electric shock or something like that.

**Mr. Gartner:** No, we don't have those.

**Mr. B. Newman:** Okay.

**Mr. Chairman:** Shall item 4 carry? Carried. Item 5, staff development? Carried. Item 6, planning and research? Carried. Item 7, community services? Carried.

Vote 1504 agreed to.

**Mr. Chairman:** The feeling of the Chair is that we would revert to vote 1503, item 1, but, with respect to all of us sitting around here, I don't see the big guns; in other words, the critics of the department are not here and, therefore, I don't think it's either fair or wise to proceed.

**Hon. Mr. MacBeth:** We still have vote 1505, you know, which is OPP as well.

**Mr. Chairman:** I appreciate that, but I want to go back to vote 1503. It's almost 10:30. Our situation tomorrow is that, there will be a debate in the House, as I understand it, about a certain resolution being introduced by the government on the Ombudsman. How long that debate will take, I have



no idea. After that debate is finished, we shall resume the hearings of this committee and go on to tomorrow night in the hope of reaching some kind of termination before Doomsday with respect to the Solicitor General this year. Is that satisfactory to this committee?

I'm sorry, Mr. Reid, you had some remarks to make. Can you squeeze them—well, all the votes are carried.

**Mr. Reid:** I can give them to you in about one minute, Mr. Chairman.

**Mr. Chairman:** We'll pretend you're on something else.

**Mr. Reid:** All right. They are in regard to the OPP; I spoke on this before, but I just want to reiterate it to the minister and the gentlemen from the OPP. I refer to the policing of the township of Ignace in northwestern Ontario. You have heard this before. You have had letters from me and conversations and so on. The detachment there has to cover an extremely wide area. They go pretty well to Dryden, which is almost 80 miles by some of the worst roads in the province. They go up Highway 599, almost to Pickle Lake, Savant Lake and so on, and I believe there are now—five officers?

**Mr. Gartner:** There are six officers there now. We have increased it considerably.

**Mr. Reid:** There are two problems. Of course, there is the wide geographical area they have to cover, as well as the communication system, which, because of the partic-

ular geography of the area, is not particularly well suited to telephones and car radio communication. You have boosted the force by two, I believe, in the last 1½ years.

**Mr. Gartner:** That is right, yes, and we try very hard to see that they get into Savant Lake on a regular basis. One of the problems is they weren't going in on a regular basis, and you pointed that out to us, I think.

**Mr. Reid:** Right, and Savant Lake, of course, is a fair piece from Ignace.

**Mr. Gartner:** That's right, yes.

**Mr. Reid:** So while they are in between Ignace and Savant Lake the rest of the area is sort of left without police protection. I will just reiterate that. I know it is a matter of funds and personnel, but I would appreciate it if you had another look at it.

**Hon. Mr. MacBeth:** Mr. Reid, I am aware of it. The deputy commissioner and I travelled that route from Dryden to Ignace in March, in a snowstorm at night. I know exactly what you mean.

**Mr. Reid:** You know what it is like, both for the OPP and the provincial member to try to get around.

**Hon. Mr. MacBeth:** Right.

**Mr. Chairman:** Anything further? Then the committee is adjourned until tomorrow after our hassle.

The committee adjourned at 10:27 p.m.

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- Ministry of the Solicitor General officials taking part:  
Erskine, J. L., Deputy Commissioner, Services, Ontario Provincial Police  
Gartner, L. R., Deputy Commissioner, Operations, Ontario Provincial Police  
Russell, A. A., Deputy Minister



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# Legislature of Ontario Debates

SUPPLY COMMITTEE—1

ESTIMATES, MINISTRY OF  
AGRICULTURE AND FOOD

OFFICIAL REPORT — DAILY EDITION  
Third Session of the 30th Parliament

Thursday, June 17, 1976

Afternoon Session

Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

## SUPPLY COMMITTEE

THURSDAY, JUNE 17, 1976

The committee met at 3:10 p.m. in committee room No. 1.

### ESTIMATES, MINISTRY OF AGRICULTURE AND FOOD (continued)

On vote 1703:

**Mr. McKessock:** Maybe I could get a question answered under ARDA, on rehabilitation. I see there's \$8.5 million spent on a few different items there; one of them is rehabilitation. Could you just give me an outline of what that covers?

**Hon. W. Newman:** If you give me a chance to look it up I'll tell you what it covers. A lot of it is flood control and drainage. Regarding the rehabilitation part, we'll get you the details on it.

**Mr. McKessock:** What's rehabilitation?

**Mr. Crown:** Under rehabilitation is the agricultural drainage outlet assistance programme. Rehabilitation is grants that are made to rural people to relocate from uneconomic farm units to some other area where they want to become re-established. It has been mostly confined to northern Ontario where people are located in uneconomic agricultural communities or places where they will be moving out of agriculture and living somewhere else.

**Mr. McKessock:** Does this just pay their transportation costs?

**Hon. W. Newman:** Right, and some moving costs. I remember it now.

**Mr. Lantz:** That part of it is a \$50,000 item out of that \$8.5 million.

**Hon. W. Newman:** It's not a big item. It's a case where the Unemployment Insurance Commission—or whatever it is—will pay, in some cases, for people to move to jobs; in cases where it is not covered we move in.

**Mr. McKessock:** There's a comma after "rehabilitation," and then also "alternate employment opportunities"; is that a separate section?

**Hon. W. Newman:** That's a programme, where, for instance, if they are going to build some sort of a programme in some parts of Ontario to create employment or jobs, we get involved through the ARDA programme. Actually we are really talking about a joint venture, where we would get involved as well as—

**Mr. McKessock:** That was the plan we were talking about last night, is that right? The grant—

**Hon. W. Newman:** Right. For instance, if a cheese plant is going to be built somewhere in eastern Ontario, there would be some assistance from EODC and ARDA would also get involved if it's helping to create jobs.

**Mr. McKessock:** Okay, thank you, Mr. Chairman.

**Mr. Chairman:** Mr. Wildman, followed by Mr. MacDonald.

**Mr. Wildman:** Thank you. I just have a couple of short questions regarding ARDA. What provision is there to prevent land that has been purchased by ARDA from coming into the possession of non-residents? Certainly the whole purpose of ARDA is to prevent speculation, but there seems to be some indication in some areas that non-residents have obtained ARDA land. Do you have any comment on that?

**Hon. W. Newman:** Yes, it goes on a priority basis. For instance, if we buy a farm under the ARDA programme, by and large, it is offered to the surrounding farmers first for enlargement to make their operation more efficient. Failing that, it is offered to farmers in the community who want to buy it. Of course, sometimes the land goes back to Natural Resources because it is really not practical to farm at all. I don't know whether others are allowed to buy the land. Are they?

**Mr. Crown:** No, they are not. Only farmers who can use and require this property for agricultural purposes. We do not sell land to non-farmers.

[3:15]

**Mr. Wildman:** What happens if you have a situation where the land is purchased—and I know of a situation in the Bruce Mines area, for instance, where land was purchased—by a non-resident? An individual from Michigan who did intend to farm the land purchased the land. I think he really did intend to farm it but something happened—he had some financial problems or something—and he ended up not farming it and later sold it to someone else. Is there any stipulation as to whether the person who buys must be a resident? Does that have anything to do with it? Is it simply whether or not they intend to farm?

**Hon. W. Newman:** I don't know of anything. You're picking on a specific one. We have rules. Priority No. 1 is injunction orders. Priority No. 2 is farmers in the area. They can lease with an option to buy. I don't know in this particular case if this individual—was he a US citizen?

**Mr. Wildman:** Yes. I think originally he had been a Canadian citizen but he had gone down there and he was going to come back or something. He was an American citizen at the time, I think.

**Hon. W. Newman:** He may have decided—I don't know. Certainly he may have decided to come back and live in Canada again. Does his employment take him down to the US?

**Mr. Wildman:** Yes. He was a veterinarian, I think.

**Hon. W. Newman:** A veterinarian. He went to work in the US and then decided to come back here and farm?

**Mr. Wildman:** I am not particularly concerned with a particular case. What I am concerned about is that land is being purchased for the purpose of helping a farmer who is having economic problems or who wants to get out. The purpose is that you purchase his land and, as you say, give it or sell it to other farmers in the area who might want to expand. I am wondering if there is a danger that this might end up in a situation in which Americans—I haven't anything against Americans—non-residents might get control of the land and later sell it at a higher price. That is what happened in this particular case.

**Hon. W. Newman:** I believe they have to have it—how many years do they have it?

**Mr. Crown:** Five.

**Hon. W. Newman:** Five years. Somebody might try to circumvent it but certainly to

my knowledge they have to have it for five years. Did he have it for five years?

**Mr. Wildman:** I think he did.

**Hon. W. Newman:** Before he resold it?

**Mr. Wildman:** I believe he had it for seven years.

**Hon. W. Newman:** Our people look at them very carefully and certainly the intention is not to allow it to be circumvented. If there is a case in which it has been circumvented, certainly we would have a look at it.

**Mr. MacDonald:** One of the problems in the ARDA programme down through the years has been the ceiling on the amount which could be paid. What is the ceiling now and is there any flexibility in it?

**Hon. W. Newman:** It's \$350 per acre. It was raised last year, but the trouble is we are not sure how much funding we are getting from Ottawa this year. The limit, I think, was \$150 and it went to \$350 last year. This is the maximum they could pay.

**Mr. MacDonald:** Is there any flexibility at all? Once you fix it at \$350 per acre, that's the limit beyond which you cannot go?

**Hon. W. Newman:** There is an allowance also for improvement, I forgot, over and above that. Is it \$100 or \$150?

**Mr. Lantz:** It's \$150.

**Hon. W. Newman:** Yes, \$150 an acre for improvements to buildings, house or whatever it may be; improvements to the farm. The basic price for the land, the maximum price we pay, is \$350 an acre.

**Mr. MacDonald:** I would like to ask the minister—this is more of a policy issue and therefore should be directed to him—is the government giving any consideration, either within the framework of the existing ARDA land acquisition, leasing and disposal programme or through a parallel programme, to getting into land banking for preserving prime agricultural land? I was interested that both the COLUC report, covering the "golden horseshoe" area, and the Georgian Bay-Simcoe report made recommendations for some sort of a land banking arrangement on a voluntary basis so that if land becomes available and it is prime agricultural land, it can be bought up and sold or leased. Are you giving any consideration to that?



**Hon. W. Newman:** No, not at this point in time except in the areas where the government has bought land, for instance, in North Pickering, at the Townsend site and the other ones we talked about the other night.

**Mr. MacDonald:** I mean as an instrument for preserving agricultural land. The only reason I think you might have to go to another programme is that it seems to me in many instances the ceilings will be prohibitive against buying land in prime agricultural areas.

**Hon. W. Newman:** Yes. The whole purpose of the ARDA programme—no disrespect to areas where we have bought some good land; there has been some good land—is to help out in those areas where it is not really prime agricultural land.

**Mr. MacDonald:** Is there any possibility you will give consideration to that in view of the frequency with which it is emerging in the planning papers?

**Hon. W. Newman:** We are always prepared to look at anything as a matter of fact, but there is nothing in our budget this year for land banking.

**Mr. MacDonald:** I'll be fair. One of the problems is going to be the amount of capital required. In one sense, to the extent that you can sell it again or lease it again, you've got an income or you've got a revolving capital fund. The reason I think it is worthy of some thought is that in Manitoba, as part of that kind of a land banking or government purchase of prime agricultural land for reallocation or resale for farm enlargement and so on, it has also met another rather interesting and useful purpose, that is in dealing with this whole problem of a farmer having had inadequate income down through the years. The only way he can really get a pension is to get the capital value of his land, but if he wants to keep it in the family it's difficult to do that. What happens in Manitoba is that if the farmer, on becoming 65 years of age, wants to retire, he can sell it to the government land banking group, or whatever is the appropriate term for it, on the understanding that it will be leased and/or sold back at some time to his son or another member of the family; so that it becomes a mechanism for transfer between generations and at the same time provides an opportunity for the farmer to take his retirement pension and go off and live in

the village while the next generation carries on.

**Hon. W. Newman:** As you know, under the present provincial taxation structure, under the Gift Tax Act, there is a once-in-a-lifetime gift of \$75,000 on farm assets. Also the Treasurer (Mr. McKeough) has made it possible that if a farmer wants his son to farm when he retires or dies the succession duty write-off period is reduced, now, down to 10 years; if he farms it for 10 years the succession duty is wiped out on that farm in the Province of Ontario. It was 25 years. I think it was changed just last year from 25 to 10 years.

**Mr. MacDonald:** Are you suggesting that eliminates the need of doing what they are doing in Manitoba?

**Hon. W. Newman:** It means that if a farmer wants his son to farm he can make a gift of \$75,000 towards the assets on the farm to the son. I guess the son would help keep the father. Secondly, if the father dies the succession duties are wiped out at the rate of 10 per cent per year for 10 years. If he farms it for 10 more years there is no succession duty. What happened at one time in many cases was that when the farmer died the succession duty had to be paid and it meant selling the farm and the son couldn't carry on.

**Mr. MacDonald:** Let's not confuse the point I am really raising with this added wrinkle of a possible mechanism for transfer of farms from one generation to another. It seems to me it is one mechanism for the government's effort in preserving prime agricultural land so that when land becomes available beyond the limits that are now there for ARDA purchases you can accumulate, not necessarily for land banking purposes in the long sense but for leasing or resale, making certain that you keep it in agricultural and food production.

**Hon. W. Newman:** I think we have looked very closely at this. I am not trying to circumvent your question, but in Townsend and North Pickering, we have had our people on site trying to work out an arrangement to make many thousands of acres available on a lease basis for young farmers, to help them get started, which I think is a good programme and seems to be working well. It is going to take a couple of more years before we realize how well it does work. I haven't been to the Townsend site, but I know the North Pickering site well. There

are a lot of young farmers who have leased land there and have borrowed money through the province to buy it and farm.

**Mr. MacDonald:** In fact it raises another point; if the government saw fit to move into this kind of approach, One of the recommendations or suggestions that came in the farm income report back in 1969 was that in order to avoid the increasingly high capital costs in buying a farm farmers might give more consideration to leasing rather than buying land. I think, as a matter of fact, the general pattern is that even when farms are enlarged they may own 200 or 300 or 400 acres but then they lease another 200 or 300 or 400. I think the thrust of the report was that if the capital problem in establishing a farm is becoming an increasingly prohibitive, unmanageable problem, it is lessened if you don't have to buy the land, if you can lease it.

**Hon. W. Newman:** In many cases now people who own land lease it out.

**Mr. MacDonald:** If you have an ideological inhibition that this means you are going to have a slow socialization of the land, may I just remind you, by way of consolation, so that you won't lose sleep tonight, Mr. Minister, that 90 per cent of the Province of Ontario today is Crown land.

**Hon. W. Newman:** Oh yes, but 90 per cent of that Crown land is not prime agricultural land either.

**Mr. MacDonald:** True; but I didn't say it was.

**Mr. McKessock:** That's a point. How do you get this Crown land; can you lease this land in Ontario?

**Mr. Wildman:** You have to be a pulp and paper millowner.

**Hon. W. Newman:** This comes under Natural Resources; leasing of Crown lands, cottage lots—

**Mr. Ruston:** You couldn't grow carrots on that land.

**Hon. W. Newman:** I think Natural Resources has 20-year leases on lake-front Crown lots, which are renewable for—I am not exactly sure how long. But that comes under Natural Resources as far as Crown land is concerned.

**Mr. McKessock:** Is there any of this Crown land that is clear; and if there isn't, is there any that could be cleared to make farm land?

**Hon. W. Newman:** Oh sure, there is lots of it. I can think of two or three farms, as examples. They were farmed at one time, but let go because it wasn't really prime land. But there is no reason why it could not come back into production some time.

**Mr. McKessock:** And it could be leased from Natural Resources?

**Hon. W. Newman:** Oh, no; let me make sure that I have this clear. In our ARDA programme we try our best to lease it to adjoining farmers or others who want it. If we find that it is really not suitable for farming, and nobody wants it, we will turn it back to the Crown. I am not sure what Natural Resources' policy is on that—whether they lease land for grazing purposes or for farming, I really can't tell you; but maybe one of my staff can.

**Mr. McKessock:** But this Crown land isn't necessarily owned by Natural Resources is it?

**Hon. W. Newman:** No, it is owned by the Crown.

**Mr. McKessock:** By the province?

**Hon. W. Newman:** Natural Resources administers it.

**Mr. R. G. Bennett:** I sat on a committee a number of years ago on this policy. We used to have a northern Ontario development policy where we could let out land patents, and I think they were in 80-acre lots. This went on for a number of years; but through general economics and alternative employment opportunities this policy changed. These lots would be farmed for a while—really homesteaded—and then they become abandoned or semi-abandoned. People might just live in the house, but not use the land. So this policy was amended 10 or 15 years ago because there was so much land that had been cleared and wasn't being used.

As a matter of fact, that is the way the \$400 northern Ontario development grant was established. That money was diverted from land breaking and clearing. We discontinued that policy because there was more land being broken than was actually being used. We thought it was better to leave it in its natural state, and utilize it as required. So right now I don't think the ministry will lease out land that may have to be broken and cleared, because there is lots of other land available in that area that can be procured.

**Mr. McKessock:** It can be procured for how much? You said the lease was over a 20-year period?

**Mr. R. G. Bennett:** It could qualify under our ARDA programme, if anybody was going to acquire it this way.

**Mr. McKessock:** But ARDA doesn't necessarily own it now, though?

**Hon. W. Newman:** No, but there is a lot of privately-owned land.

**Mr. McKessock:** But the ARDA land—are you calling that Crown land?

[3:30]

**Hon. W. Newman:** No, ARDA land is land that is bought up under the ARDA programme, and it is offered out in the way I described earlier.

If we find that land bought by ARDA is not required by anyone, in some cases—in not too many but in some cases—we turn it back to the Crown, so it is administered by the Ministry of Natural Resources. Usually it's very poor land. It's rocky, it's hilly, it's treed. There is very little good land on it; so it's turned back to the Crown, but every opportunity to make it available or to use it for agricultural purposes is exhausted before that's done.

**Mr. Chairman:** Mr. Spence followed by Mr. Riddell.

**Mr. Spence:** Mr. Chairman, I believe Mr. MacDonald asked the question that I was interested in: what you were paying for this land under ARDA. I understood you said \$350 an acre.

**Hon. W. Newman:** That's maximum.

**Mr. Spence:** Maximum. Was there much land bought this year through ARDA?

**Hon. W. Newman:** Our total budget for this year for that programme is either already spent or committed. Do you want the actual figures?

**Mr. Spence:** No, a round figure.

**Hon. W. Newman:** Over \$2 million.

**Mr. Spence:** That's the amount you spent buying crown land?

**Hon. W. Newman:** No, no; this is farm land we have bought up. We have a total list of where they are, what county they are in, the total number of farms, total number of acres and cost per acre, the average size;

I could go down county by county. If you want a county, I can give you one, or a district.

The total farms were 2,769 for a total of 408,000 acres. The total programme up to date is \$28 million which has been spent, and the average cost per acre over the total programme—it started in 1966—the average cost per acre over that period of time is \$68.82 and the average size of the farm bought was 147 acres. That's in 10 years.

**Mr. Riddell:** Mr. Chairman, I would just simply caution the government on buying up all the land, as was suggested, and I hope that if you people ever adopt that socialistic thinking you will be prepared to step aside and let some free enterprisers in to govern this province. I think you know, and certainly the chairman knows, that there is still something to be said about private enterprise and private ownership.

If we are going to continue to have a viable agricultural industry in Ontario, then I am going to tell you it is going to be based on private ownership and it is not going to be based on a farmer owning a house and a small plot of land and then having to work for the government on the rest of that land. Let's stay away from that kind of nonsense.

**Hon. W. Newman:** I should make my position clear. When I was answering the member for York South's question, where there was government-owned land and what we were doing with it and how we were operating, I said there was no money in our budget for acquiring land for land banking purposes.

**Mr. Riddell:** At \$350 an acre, I would think that all the land you are buying must be in northern Ontario. Are you buying some in southern Ontario for that price?

**Hon. W. Newman:** Yes, there is some of it bought in the south. What county do you want to know?

**Mr. MacDonald:** Try Grey.

**Mr. Riddell:** Well, what about southwest-ern Ontario? Is there any land being—

**Hon. W. Newman:** Huron county? What about Huron county?

**Mr. Riddell:** All right.

**Hon. W. Newman:** In the last 10 years, 173 farms have been bought for a total of 19,925 acres at a total cost of \$2,407,000. An average price was \$120.83 per acre. An average size—



**Mr. MacDonald:** How does that grab you in Huron?

**Mr. Riddell:** Have these farms been resold or leased?

**Hon. W. Newman:** I guess pretty well all leased, are they not?

**Mr. Crown:** No, they would be bought. Most of them had been acquired back. They were purchased with an offer there with us and we gave—

**Hon. W. Newman:** It's a five-year lease.

**Mr. Crown:** —an option to purchase. With many of them the lease has been taken up, or in some cases they can renew their lease for a further five years, for a total of 10 years.

**Mr. Riddell:** I don't know where you will get land in Huron county today for less than \$500 an acre, so let's assume that a farmer does want to sell out and a neighbour would like to buy him out. Can ARDA step in to the tune of \$350 an acre and then the farmer—

**Hon. W. Newman:** No.

**Mr. Riddell:** ARDA has to buy it right out.

**Hon. W. Newman:** Under our federal-provincial agreement with DREE, that's the maximum figure we can pay per acre for the total cost of the land.

**Mr. McKessock:** The only land that sells that cheap in Grey is the Hydro corridor.

**Mr. Riddell:** Regarding municipal taxes on ARDA-owned property, is that predominantly community pastures?

**Hon. W. Newman:** No. We pay taxes on all ARDA land that we own; of course, if we turn it back to the Crown, then there are no taxes to be paid on it. But when ARDA owns it, or if it's leased out, the person who leases it pays taxes.

**Mr. Riddell:** As a matter of interest, how much ARDA-owned land in Ontario is being leased out in one way or another, whether it is leased for community pastures where farmers are putting cattle on there at so much per head or whether it is leased to a farmer with the intention that eventually he'll buy that land?

**Hon. W. Newman:** How much is under lease right now?

**Mr. Riddell:** Yes. How much land has ARDA purchased that's under lease at present?

**Hon. W. Newman:** The amount in community pastures is 23,057 acres.

**Mr. Riddell:** How much land does ARDA own and have leased out?

**Hon. W. Newman:** Just on a lease; land that hasn't been sold?

**Mr. Riddell:** That's right.

**Mr. Crown:** I can't give an up-to-date figure on the amount that's actually out under lease. We can take it off by any individual county or district, but I haven't got a total right now as to how much land is being leased, because every week there can either be new land acquired or land on which the option is being taken up. The information is available. If you'd like, we could give it by any county—

**Mr. Riddell:** I realize that, but are you as actively involved today in buying farms as you were, say, five years ago? Are you more active or less active?

**Hon. W. Newman:** By and large, with the increase in the price of land and with the limitation on funds, we can't buy nearly as much as we were able to buy before.

**Mr. MacDonald:** Be careful, Mr. Minister, you're becoming guilty of creeping socialism. You're just being set up for it.

**Hon. W. Newman:** What do you mean, that's socialism?

**Mr. MacDonald:** I didn't say that, Jack's going to.

**Hon. W. Newman:** If we followed your lead, you'd take us all down the garden path.

**Mr. MacDonald:** No, I'm on your side; he's setting you up to attack you.

**Mr. Riddell:** Oh, no. There's the fellow who was setting you up.

**Mr. Chairman:** Order, please.

**Mr. Riddell:** I was just waiting to see if you were going to go along with him; I'm glad you kind of held your own. All right, I'll pass to somebody else.

**Mr. MacDonald:** Now we know where the philosophic difference is.

**Mr. Ruston:** I'd like to speak on buying a farm where the father and mother want to

sell out or something like that. It seems to me that this comes under the Farm Credit Corp., which is more or less used extensively for this reason. I know of many people whose sons have bought the land through a Farm Credit Corp. loan and who are having a bit of a problem in terms of the limitations. Maybe we're going to have to do the same as is done with home mortgages and start laying down the law to some of the lending institutions. That's a personal opinion of mine.

I think this is something that needs to be expanded. I realize this government got out of the junior farm loans a number of years ago. In fact, that was about the only recommendation in the farm income report of 1969 that the Minister of Agriculture and Food picked up in a hurry and accepted. But I think the member from York South will also remember that was one of the recommendations.

I think it is very important that funds be made available, through government agencies, for young people who are buying the family farm or expanding, and I think we could expand it with a little pressure on the lending institutions. In that way we would keep the people who want to farm.

We have a great many such farms in our area—and it's too bad in a way. I know of one farmer who has 100 acres and farms 700. He rents 600 acres of surrounding land, which is owned by a number of people who perhaps farmed in the past but quit because of low prices or perhaps because someone passed away in the family but the family kept it and rented it out. This would then allow people who are actually farmers, if a little more of this fund is available, to buy the land. Most people who own 400 acres don't necessarily rent that much more land. It sometimes seems when they don't own much they want to get a little bit more than normal to try to farm and rent out to make a living and pay for their large machines. It seems to me this is where we should be concentrating in some way. Whether we should be getting involved in it is a decision the government will have to make, but I think it's very important.

**Hon. W. Newman:** We will be discussing this with the federal authorities, the Farm Credit Corp. They've cut back their share and this has created some problems. Some people want the upper limits changed and that can have an effect on the price of land too. All these things have to be looked at.

**Mr. Ruston:** Yes, that's right. What's forcing the price of land up in many areas is not necessarily the producing capacity of it, but

that people want to invest in it to get out of the cities and so forth. As we mentioned last night, some of them come out to live and then benefit from the lower taxes with tax refunds for farmland. As you said and as I've heard Mr. Stewart the former Minister of Agriculture and Food say on more than one occasion, sometimes the more money you make available to borrow the more the price of land goes up.

We do know that the price of land fluctuates considerably with the price of commodities. I've seen it very much in my own area. A few years ago, I think in 1971, land was around \$500 an acre where now it's from \$1,000 and up. The ordinary, what we call Brookston clay, goes for \$1,000 to \$1,100, and higher than that as the quality increases. One of the things that is forcing it up is the bidding of people outside of agriculture who are buying it for an investment. Some are foreign landowners, but not very many of them. Most that I see are people from the area that just want to get out and have a little investment and be able to say, "Well, I own that property there."

By working and renting it out and holding a job down they acquire it. That's a little bit of a problem that actual farmers are finding. I know different farmers who have two sons farming with them who want to acquire more land. When it comes to \$100,000 or \$125,000 to acquire a little more land, the lending is the problem. The interest rate, too, is really the biggest problem, I would suppose, when you get talking about the amounts you have to pay now.

**Hon. W. Newman:** I appreciate the fact there are people who do go out and buy farms who want to live in the country. Providing they are putting the land to agricultural use or leasing it out to people, then I don't personally see any reason why they can't.

**Mr. Ruston:** It makes it a little tougher, though, for the actual farmers. I don't know what the answer to it is and I don't think anybody's really got the answer. I know what the member for York South says about the government acquiring land, but I don't know that that really would solve the problem on farming. You're still going to have the farmer renting this land, and he has a tendency sometimes to take a little more out than he puts back in. That's the problem with a lot of renting, and I think it's still a problem that we have.

**Hon. W. Newman:** Unless they have an agreement to maintain it when they do lease it.

**Mr. Ruston:** That's right.

**Mr. Spence:** When do you renegotiate this five-year agreement with the federal government?

**Hon. W. Newman:** In 1977, but we're having some problems even on allocations this year. That's why I'm trying to get an appointment, as I said the other night, with Mr. Lessard.

**Mr. Ruston:** Mr. Chairman, there's one thing I forgot.

**Mr. Spence:** Go ahead.

**Mr. Ruston:** This involves the Thames River banks and some of the ARDA agreements. I know we've had some problems there with some of the tenders coming out quite high, and there were some held back. I don't know where we're at now with some of those contracts.

**Hon. W. Newman:** We're trying to renegotiate with the federal Department of the Environment, I believe. Federal money comes with it. We are renegotiating with them and asking them to take it over a longer period of time so we can get the additional funding that's needed to do the diking. The problem is that it is costing more. We're asking them to go over a longer period of time. We still are negotiating, through TEIGA and ourselves. This comes under the federal Department of the Environment.

[3:45]

**Mr. Spence:** Mr. Chairman, I would like to ask the minister in regard to diking in Harwich township, Kent county, of which Mr. Crown is well aware. Is that all completed?

**Mr. Crown:** The answer is yes.

**Hon. W. Newman:** Yes.

**Mr. Spence:** It's all completed?

Vote 1703 agreed to.

On vote 1704:

**Mr. Chairman:** Item 1, administration. Is there any discussion on administration of the agricultural marketing programme?

**Mr. McKessock:** On the Royal Winter Fair, is that \$100,000 a straight grant to the fair to operate?

**Hon. W. Newman:** The Royal Agricultural Winter Fair. When somebody cites it wrong, I always make sure to correct the mistake.

**Mr. Chairman:** Any further discussion or questions on item 1? On item 2, marketing. Mr. MacDonald followed by Mr. Riddell.

**Hon. W. Newman:** Gentlemen, one thing; I will do the best I can but our marketing people, I must be honest with you, are hearing appeals on tobacco today. They were to be down here but I told them I thought we would be on ARDA a little longer than we have. They have about seven or eight appeals and I will do the best I can until they arrive.

**Mr. R. G. Bennett:** If we can start with activities 2, 3 and 4 and then go back to 1, it would help us a bit.

**Mr. MacDonald:** That's okay with me.

**Mr. Chairman:** We will start with discussing the milk commission policy.

**Hon. W. Newman:** Milk commission? If you don't mind, we can come back to 1 and we will start with the milk commission policy of the government.

**Mr. MacDonald:** As far as I am concerned we can leave it until the end if they don't come. I have nothing particular on milk, other than all the questions we have asked. The minister is saying he wants to sit down with the commission and with the board and see what we can work out in the light of whatever Eugene Whelan says is available by way of new quotas.

**Hon. W. Newman:** As of this morning, we don't have a firm answer. They are being considered in Ottawa. I will be in Ottawa, as I said, hopefully next week, but certainly we will be sitting down tomorrow to discuss this matter.

**Mr. McKessock:** Maybe we could find out what you do when you sit down with the commission.

**Hon. W. Newman:** Do you mean tomorrow?

**Mr. McKessock:** You have been telling us you have been sitting down with the commission.

**Mr. Wildman:** Trying their milk.

**Mr. Ruston:** No comment on that one.

**Mr. Riddell:** Has the commission made any recommendations to you as to—

**Hon. W. Newman:** They will tomorrow. I have talked to the chairman, Ken McEwen, about it; I have talked to George McLaughlin about it. At that point in time there were so many people requesting quota, and still are, even at the Milk Marketing Board and commission appeals, that



I set out, the other day, the priorities on which they are working; hopefully we can get a better handle on it tomorrow. If we could only find out from Ottawa whether they are going to reduce the \$1.34 cwt., if they are going to change the monthly quota allocation; or if they are going to allow, we might say, a larger MSQ. The farmers in Ontario have reacted fairly well. Our production is beginning to level off in the last month. Our farmers in the Province of Ontario have co-operated very well and we are going to have a look at the whole picture tomorrow.

**Mr. Riddell:** Is there any market share quota coming up for sale at this three cents a pound at the present time? Do you know that?

**Hon. W. Newman:** I can't tell you. The Milk Marketing Board would know.

**Mr. R. G. Bennett:** There have been 27 offers.

**Mr. Riddell:** There have been 27?

**Mr. R. G. Bennett:** As of yesterday.

**Dr. K. A. McEwen:** There have been 27 offers to sell quota to the board.

**Hon. W. Newman:** Twenty-seven as of yesterday.

**Mr. McKessock:** Do you know what quantity of production that would be?

**Dr. K. A. McEwen:** The pound volume?

**Hon. W. Newman:** We hope we will get those tomorrow. We hope they will bring all those figures with them.

**Mr. Riddell:** Have you any idea how much market share quota it is going to take to help those farmers who are really experiencing difficulties to the point they are going to have to go out of business? I talked to some in eastern Ontario last week and they indicated to me they have to go out and get part-time jobs. The only way they could hold their farming operations together is by getting an additional source of income. Have you any idea how many are in that kind of difficulty?

**Hon. W. Newman:** Of new producers, there are about 500.

**Mr. Riddell:** There are 500 of them?

**Hon. W. Newman:** New producers.

**Mr. Riddell:** Five hundred producers stand to go out of business unless they get a—

**Hon. W. Newman:** No. I said there were 500 new producers who came in in the last years, is that right? Around 500. There are other producers, I said, who came in two years ago.

**Mr. R. G. Bennett:** It's 472.

**Hon. W. Newman:** And there are those who went in two years ago who took financial commitments—expanded their stabling, bought coolers and pipeline milkers, and added heifers, especially in the spring—and were shooting for a target. They could be in just as much financial difficulties as some of the new producers.

**Mr. Riddell:** Could you tell us what volume of milk would be needed to put them into a yearly quota position?

**Hon. W. Newman:** It's very hard to say. I can't tell you at this point in time. Some people who built up their quota managed to get by. Others who have taken financial commitments cannot. Of the new producers, some of them had a fair year last year and they're not too badly off. Of course, the amount of quota that's coming in may not be enough—I don't think it will be honestly—sufficient to meet the needs. That's why two things can happen: one, we'd be allocated more MSQ by Ottawa, and secondly, if they cut back the percentage, people could live within their percentage.

**Mr. McKessock:** That would be a very nice figure to know, just how much would be needed to bring these 472 new producers and the ones who expanded last year up to a viable yearly quota.

**Hon. W. Newman:** It would be very hard to bring them up, because of the quota that's been allocated to us on an actual basis. What we are concerned about is getting enough quota to those people to let them survive this year until the matter sorts itself out. As I said before, I think it will. But I don't think we're going to get enough quota at this point in time.

**Mr. McKessock:** The reason I would like to know that figure is that this is the question I've been asking you before: if the province would consider allotting them a yearly quota based on their last three months' production, and then the province buy whatever extra milk that created, up until the time enough quota came in from people going out of busi-

ness to give them real quota. If we knew that figure, you'd have an idea of the most it could cost the province, and it might not cost the province a cent, if the quota came in fast enough, to turn this quota over to them.

**Hon. W. Newman:** This is the whole thing, keeping in mind the Ontario Milk Marketing Board is dealing with a certain—hundred-weight of milk, and can't go over that allocation at this point in time.

**Mr. McKessock:** They can, according to Whelan, if you wouldn't mind buying it.

**Hon. W. Newman:** You mean we buy the surplus milk?

**Mr. McKessock:** That's right.

**Hon. W. Newman:** And we turn it into cheese? You're repeating exactly what Ottawa is doing.

**Mr. McKessock:** You can give it away instead of the beans that you give away.

**Hon. W. Newman:** I have suggested we give the powdered milk away.

**Mr. McKessock:** Yes, but this could be done on a provincial responsibility.

**Mr. MacDonald:** Sounds like a socialist solution to me.

**Hon. W. Newman:** Then you get into balkanization. If we get into it, some other province gets into it, and the first thing you know you could destroy the whole dairy industry.

**Mr. McKessock:** But of course all we are worrying about is Ontario.

**Hon. W. Newman:** Yes, I know, Ontario is foremost in my mind, don't get me wrong. But some other province could also destroy the market for Ontario down the road in the future and this is what worries me. I'm not going to spell out the names of the provinces. I said the other day there are two provinces who have given notice they are going to pull out of the industrial milk programme. If they pull out of the programme they have to give a year's notice, and if they pull out of the programme and go wide open with milk production they'll destroy our milk industry in this country. It really does concern me. I'm concerned about Ontario, yes I am very much, but I'm afraid of what could happen if these other provinces go the route they are talking about going at this point in time. It really frightens me.

**Mr. McKessock:** But to get back to Ontario again, I don't think what I'm suggesting here would upset the milk industry. All I'm trying to prevent is what Jack said here, they're going to have to go out and get another job, and also they're going to have to keep milking these cows, the milk is going to be produced anyway if they keep producing. The only thing is if they knew whether to go bankrupt now or wait for three months from now. This is the thing they don't know. They may have to go bankrupt a few months from now and they may as well quit now if they are not going to get a quota. So if they were assured this yearly quota they could carry on and know where they are.

**Hon. W. Newman:** Let's go back to 1965 or 1966—I've forgotten which—when we had it on a provincial basis and it was a chaotic situation. Jack, you would remember, it was chaotic and that's when it went on the national basis.

**Mr. McKessock:** I understand that.

**Hon. W. Newman:** Okay, so we had a chaotic situation then and went on a national basis. If we got into buying milk and somebody else gets into buying milk, and we are not really trying to stay in line with the actual needs or somewhere near the actual needs, then we just throw the whole thing into chaos for everyone.

**Mr. McKessock:** Of course, as I mentioned, you might not have to buy a pound. It depends how fast the can shippers, who have to go out by October, 1977, go out, and the older farmers, with the natural trend of going out of milk, if they go out soon enough the province might not have to buy a pound. All I am suggesting is that these new shippers and the ones who expanded would know where they were at by this kind of approach.

**Hon. W. Newman:** The general impression I get right now—and I have been talking only to some—is that many of the can shippers want to stay until this fall. That's why the incentive by the Milk Marketing Board is to try to get them to sell now.

**Mr. McKessock:** If the government put in an extra couple of cents they wouldn't be able to afford to—it's bound to be more beneficial for them to go out now.

**Hon. W. Newman:** I went through this the other night and I'm prepared to go through it again. Supposing the government did put up two cents a pound, added to the three, then you are trying to buy up quota from people going out so you can sell it to some-

body else, new producers or others who are in trouble. Maybe there are other routes to look at too. Maybe the new producer needs some assistance directly. Maybe he can't afford to buy it because he is locked into a situation —

**Mr. McKessock:** This two cents that the government would put in, he wouldn't have to put that in himself. If you added two cents to the three that the Milk Marketing Board is putting on it this would bring the quota in faster.

**Hon. W. Newman:** It may bring the quota in faster and it may not. What I am trying to say is that by bringing in more quota the new producer, who doesn't have the funds to buy the quota, isn't really being helped, or the one who is in trouble may not have the funds to buy it, so there are many angles to look at it.

**Mr. McKessock:** I wasn't thinking of you charging them —

**Mr. MacDonald:** What is your alternative by way of assistance to these people?

**Hon. W. Newman:** I'm not sure till I sit down with the board and the commission and talk with Mr. Whelan.

**Mr. MacDonald:** Mr. Minister, look, I am not unappreciative of the bind you are in and Whelan is in and everybody, because this is a very complex situation, but I got a call this morning; this farm is supposed to get \$1,800 last month for milk. They got \$500. The rest of it was killed in penalties.

They came in as new producers in 1974, and their limit, with all these cutbacks and everything, is such that even with the amount of milk they had given away—and they were giving it away to neighbours and using it for themselves for every purpose they could conceive of rather than pouring it on the ground—they still lost \$1,500 of \$1,800 that they normally would have been entitled to.

You can't fiddle around with conferences and you going up to see Gene Whelan and over to see the Milk Commission and the milk board and so on for very much longer. Not only are they going to have to go out and get a job to survive, they are just going to go under.

**Hon. W. Newman:** Let me make it very clear, as far as those people are concerned, they were given a quota and we are bound by a national maximum allocation of quota. We are bound by that in the Province of Ontario and the national dairy scheme. We are bound there. I had a fellow in the House

today who took a \$700 cut in his milk cheque. We don't know what is going to happen next fall. It could be that if his production drops off he could recoup some of this money, if he stays within his production allocation. The penalties, that \$8.61 a hundredweight plus the \$1.35, are certainly very strict. We ask for a reduced proportion from Ottawa on the cutbacks. We've already asked for it. Like I say, 18 per cent back to 6 per cent, which would help a lot of the producers, a tremendous number of producers. I said there was a danger of overreacting and if —

**Mr. MacDonald:** If you really believe there is a danger of overreacting, it seems to me the plea that has been put to you for some of really crash programme to save these —

**Hon. W. Newman:** All right we have. We've done something with the IMPIP loans.

**Mr. MacDonald:** I know you have done that—

**Hon. W. Newman:** And we have also, on the forgivable portion, made a cutback.

**Mr. MacDonald:** But that's not enough.

**Hon. W. Newman:** Well, it may not be enough —

**Mr. MacDonald:** If you are expecting an \$1,800 milk cheque this month and you need that to meet your bank loans and so on, and you discover you are getting \$500 and some dollars, you're in deep trouble.

**Hon. W. Newman:** That's right and we sat down there in Ottawa and battled for the extra million hundredweight that we got for the Province of Ontario this year.

**Mr. MacDonald:** I'm not taking away anything that you've done. All I'm saying is something more must be done and it must be done very quickly, because and the comment was made by somebody a little bit earlier—if it is true that we are going to discover we've exaggerated this problem and that we are going to be leveling off and there may even be a shortage a year from now, boy it's going to be awfully tough to get people back into the dairy industry after this kind of an experience.

[4:00]

**Hon. W. Newman:** That's exactly what I said the other night in here.

**Mr. McKessock:** My proposal is to hold the people you've got. We know that you can't let anybody else in but make it possible for the



ones that are in there to remain so that you don't run into this disaster situation.

**Hon. W. Newman:** We have a national allocation of so many pounds of milk at this point in time.

**Mr. MacDonald:** Maybe you have to go into that socialized venture of the government buying up the extra for a time and turning it into cheese or giving it away. In the long run you wouldn't necessarily be money out of pocket. Every time you let a farmer go under and try to encourage him back sometime later it costs money, it will be very interesting to do a dollar and cents calculation of what you have to do to assist that farmer to get in. It isn't just the losing of a farmer.

**Mr. McKessock:** First of all, could you get us those figures about how much quota is actually needed for the new shippers and the ones that expanded last year to bring them up to a yearly quota based on the last three months of production and then take off the 15 per cent cut that the other farmers have?

**Hon. W. Newman:** I'll take this up with the Milk Marketing Board and try to get a handle on those figures for you. I can't get them overnight, but I will try to get them for you within the next few days. We hope that after tomorrow we can have a better handle on what has changed hands, keeping in mind that the Milk Marketing Board is selling group I pool fluid on a first come, first served basis. I think that's their policy, is it not? On the market share quota it's being on a priority basis of the greatest need. The greatest need is to try to get more quota into the hands of those people as far as I'm concerned.

**Mr. MacDonald:** When you get those figures would you mind sending them to me?

**Hon. W. Newman:** Sure. If there are any changes we'll try to get a handle on how much quota is needed to keep them at a break-even point for at least this year.

**Mr. McKessock:** No; how much quota is needed to bring them up to a yearly quota based on their last three month's production, less the 15 per cent cut that the other farmers have to take.

**Mr. Riddell:** What damaging effect would there be on the Canadian market if the provincial government here in Ontario was to buy the surplus milk, turn it into cheese and store that cheese; which can be stored for years and years? We're talking about four million more people in Ontario by the year 2000. It seems

to me that we're going to have to gear up some place.

**Hon. W. Newman:** Mr. Whelan laid his job on the line for this programme, which I have to admire him for. I think he did and I honestly admire him for it. I don't think he would tolerate that particular kind of a programme at this point in time.

**Mr. Ruston:** I wouldn't be surprised that he might decide to fold it up.

**Mr. McKessock:** Is this type of a programme to divide the surplus, is that what you're talking about?

**Hon. W. Newman:** No, no, to allocate; and if you're allocating more than eight cents you shouldn't be producing. In all fairness to him, I must say that he says that is all that shall be produced this year in Canada, 100 million pounds of milk.

**Mr. McKessock:** Except if the government of Ontario wanted to buy the extra, if they wanted to give these extra quotas and buy the surplus.

**Mr. MacDonald:** The minister is unaware of this, I take it.

**Hon. W. Newman:** I know there's a problem. We've been trying to come to grips with it as best we can. We have coaxed, begged, telegraphed and spoken to Mr. Whelan many times. He knows my concerns fully. I'm aware of the concerns the producers of the province are faced with too.

**Mr. Riddell:** I know you recognize the problem and I know that the only way these milk farmers are going to be assisted is by obtaining more market share quota. Others may be assisted by having a deferment put on the payment of the IMPIP loan for a year rather than four months. Why is it that you wouldn't consider giving them a year's grace on this, rather than restricting it to four months?

**Hon. W. Newman:** I'm prepared to look at that. It was an emergency situation where, without getting the bankers' association to agree, I just went ahead and made the announcement anyway, on an emergency basis.

**Mr. MacDonald:** What's it going to cost the government for the four months' grace, presuming you're going to pay the bankers the loss in interest for that four months?

**Hon. W. Newman:** No; the payments are spread out starting in September. Maybe I didn't say it before, but they were talking about importing more off-shore cheese products. It was set back—it wasn't set back; they

were going to go up to 100 million pounds or something but they cut it back to what it was last year. If we could stop the imports of cheese, which are at 50 million pounds a year now, it would make a difference to the Ontario producers of somewhere in the neighbourhood of \$13 million, is that not correct? I think it's around \$13 million.

**Mr. McKessock:** That's a real value.

**Hon. W. Newman:** As you know, they were going to increase imports—

**Mr. R. G. Bennett:** If you lost the effects of the national plan you couldn't keep it up.

**Mr. Riddell:** I hope you go down there and tell Whelan that he ought to smarten up and learn that you can't trade food for a balance of payments in other countries. By golly, why is it that food has to be the sacrificial lamb?

**Hon. W. Newman:** As you know, what happened in the federal budget which came down—

**Mr. Riddell:** Do you want me to go down with you?

**Hon. W. Newman:** Do you know something? If you'd like to go, sure. I'll tell you what has happened—

**Mr. MacDonald:** That sounds too cosy; I want to go too.

Interjections.

**Mr. Ruston:** I don't want to disturb the member for York South but I think he's making a pretty damn simple—not simple—a very easy solution, which is in most cases—the Minister of Industry and Tourism (Mr. C. Bennett) got up today and finally we did let this stuff come in from many countries. He gave a speech the other day in which he was a great free wheeler in trade and commerce. He wants free trade, but we can't be free traders any more.

**Hon. W. Newman:** He is also involved with our discussions. We were to meet with Mr. Whelan—

**Mr. Ruston:** As soon as you stop things at the border, you are no longer a trading country.

**Hon. W. Newman:** Yes, but there are—

**Mr. Ruston:** You can't stop them overnight, and until you put in a system something like the United States has—

**Hon. W. Newman:** Exactly.

**Mr. Ruston:**—where it exists permanently, that's where our system—our country was in need of exports for so long we never thought that was necessary. Now it's getting to the point where we have to start looking at import permits instead of straight five-year agreements under the General Agreement of Tariffs and Trade, with everything coming and going without any problems. That's what we are going to have to start looking at.

**Hon. W. Newman:** That's very true. That's one of the things we are looking at. The meeting I told you about the other night which would have been held a week from tomorrow on the General Agreement on Tariffs and Trade was to have been with Mr. Whelan, Mr. Jamieson and Mr. MacDonald; now only Mr. Whelan can meet with us. The General Agreement on Tariffs and Trade committee within my ministry—which includes all the commodity groups, plus the Ministry of Industry and Tourism—has called it off because we felt we must meet with more than just Mr. Whelan. We are assured he is aware of our problem and we are now in the process of drafting a new Telex to Ottawa—has it gone yet? It hasn't gone yet, so I don't want to say what the contents are going to be but we are going to ask to meet with a lot more ministers than just the three of them.

**Mr. Ruston:** How much cheese are we exporting from Canada? We lost some of our markets in the European Common Market.

Interjection.

**Mr. MacDonald:** If you are looking for new outlets what's happened to the Saputo applications?

**Hon. W. Newman:** On the Saputo application the milk industry branch have had their submissions. They will be releasing their decision shortly. Within the next few days, from what I understand, they will be releasing their decision.

**Mr. MacDonald:** They had a hearing a month ago.

**Hon. W. Newman:** Yes, but let me explain that application. Allowing one more plan in—if it was allowed in—would not put one dollar more into the pockets of the farmers of this province.

**Mr. MacDonald:** Because of the limits on the MSQ.

**Hon. W. Newman:** That's right. It would not put one dollar more in the farmer's

pockets. I am not saying anybody has misled anybody, but certainly the farmers have been led to believe—

**Mr. MacDonald:** At least it would strengthen your case to say for God's sake we can produce specialty Italian cheese—that is what it's going to be, I think, in this instance—we've got it here, we won't need to import it.

**Hon. W. Newman:** We can produce all the specialty cheese right here in Ontario right now.

**Mr. MacDonald:** Yes.

**Hon. W. Newman:** The capacity is there now to do it without another plant. That plant would not put one more cent in anybody's pocket.

**Mr. Ruston:** Maybe we must educate our buyers. I was in a store the other day buying cheese; I picked up a package, looked at it and happened to see it was made in a foreign country so I put it down and picked up another one. I don't know how you do this without completely not allowing it in, but it seems to me we are going to have to do some education.

**Hon. W. Newman:** Maybe out of an interest in agriculture we should all make an effort. I do. If I go somewhere I insist on Ontario wine; not that I'm a wine drinker.

**Mr. Ruston:** I do, too.

**Hon. W. Newman:** There are some very good Ontario wines and I think we all have a selling job to do, including me.

**Mr. Riddell:** Explain your reasoning on the remark that that wouldn't put another dollar in the farmers' pockets.

**Mr. MacDonald:** We are selling to the—

**Hon. W. Newman:** There is a total milk allocation in the Province of Ontario. There's only so much allocation in the total province. So they say they'll take the surplus. Well, all milk has to be sold through the board and they're only allowed—what is it, 95 million cwt.? Is that our figure for this year? That's the total for Canada? What's ours?

**Dr. K. A. McEwen:** It's 30.4 million.

**Hon. W. Newman:** It's 30.4 million cwt.

**Mr. Riddell:** Yes, but if they establish new outlets for the milk, wouldn't that also mean we could produce more milk?

**Hon. W. Newman:** No, because of the national plan. You see, the national plan says we can only have so much milk.

**Mr. Riddell:** But if we established new outlets for the milk and found new markets for the end product—

**Mr. R. G. Bennett:** But it would have to be allocated right across Canada. The extra would be allocated right across Canada; it wouldn't come just to Ontario. We have a national plan, we have an allotment of MSQ in Ontario, allotted to us by the Canadian Dairy Commission. What's our allotment, Ken, 11 million cwt. butterfat, is it?

**Dr. K. A. McEwen:** It's 111.3 million cwt.

**Mr. R. G. Bennett:** Okay, 111.3 butterfat. But there's a global quota right across Canada. If there's an increase in utility of milk, in the volume of milk used, and say it happened in that plant, the increase in terms of milk wouldn't all come back to Ontario, it would be allocated right across Canada because it's a global quota. It would be part of the global quota; we would get our portion of that split 10 ways, based on our percentage.

**Mr. Ruston:** What is our percentage, 35 per cent or 40 per cent?

**Mr. R. G. Bennett:** We're about 33 per cent, Quebec is about 41 per cent or so.

**Mr. Riddell:** Let's establish a plant that's right on the border; half the plant in Quebec and half in Ontario.

**Mr. MacDonald:** There's a river there.

**Hon. W. Newman:** I don't want to comment in detail on the Saputo application because it's subject to appeal, whatever decision—

**Mr. MacDonald:** As I understand you, the bind of your milk board is there's no point in granting a licence, if I interpret what you're saying correctly. There's no point in granting a licence because they couldn't get the milk, it would be beyond the maximum MSQ we've now got.

**Hon. W. Newman:** And it's quite possible they might take milk away which we would need at some later date for making cheddar cheese; and where do they get their milk from at a later date?

**Mr. MacDonald:** There's enough of it being dumped to feed the pigs and God knows what at the moment.



**Mr. Ruston:** I used to do that for years, Donald. All the skim milk out of the dairies in Windsor went to the pigs.

**Hon. W. Newman:** Yes, and also the milk from the freshened cows, we used to feed it to the pigs.

**Mr. Riddell:** As long as you realize it's a serious situation, because I'm going to tell you, I didn't realize it was so serious until I actually got talking to farmers from all over the province. Boy, they even came to the meetings with their bank managers, and their bank managers are mighty concerned too.

**Hon. W. Newman:** That's right.

**Mr. McKessock:** It's not just the ones who started last year or the ones who expanded either; among those who are in serious trouble are the ones who are bringing their sons in. They can't afford any drop in income either. When this cut came along in the first place, I mentioned it would have been nice if we had had our income protection plan in now. Because this is a temporary situation, we feel, and this is where an income protection plan could have helped everybody. It could have helped all the farmers who got that 15 per cent cut, because their income would be dropped, therefore the protection plan would have given them that level if they were short.

**Hon. W. Newman:** No, because under the milk it's formula pricing; it's not the price it's the quantity that's the problem.

**Mr. McKessock:** Yes, but if the quantity was cut that would mean the assistance would have had to be added to what they were producing.

**Hon. W. Newman:** Not under formula pricing.

**Mr. R. G. Bennett:** They're already under cost of production with us as far as price is concerned.

**Mr. McKessock:** Excuse me, I didn't hear what you said.

**Mr. R. G. Bennett:** The milk industry, under formula pricing, is already on a cost of production-plus basis.

**Mr. McKessock:** Yes, but a 15 per cent cut—

**Mr. R. G. Bennett:** And even under supply management there's too much.

**Mr. McKessock:** Yes, but a 15 per cent cut in your production means your cost of production goes up; therefore under an income protection plan this extra would have been covered.

**Mr. R. G. Bennett:** No.

**Mr. MacDonald:** This is the surplus that you'd have to cope with; this is supply management.

**Mr. McKessock:** Yes, we've got supply management, right. Their quota has been cut 15 per cent; therefore their cost of production has gone up. If their cost of production has gone up, their income has gone down. Therefore, the income protection plan would make up the difference.

[4:15]

**Hon. W. Newman:** No.

**Mr. McKessock:** Then this is where our problem is with the income protection plan; we don't understand each other and how it should work.

**Hon. W. Newman:** Milk comes under supply management, which is formula pricing; it's \$11.25 a cwt. or \$11 per MSQ.

**Dr. K. A. McEwen:** For industrial milk? Depending on the class, it will be from \$11 down to \$8.66.

**Hon. W. Newman:** It depends on the class of milk. There are six different classes. It's all formula pricing which allows the cost of production plus. You're dealing with two different matters. You're dealing with a surplus situation here. If you're going to continue the surplus situation you're going to continue a problem down the road.

**Mr. McKessock:** If we believe this is a continuous situation, but I feel it's a short-term situation.

**Hon. W. Newman:** Yes, that's right; and it's got to have some resolution.

**Mr. McKessock:** Now you have control over who gets into the industry; before you didn't really have this. As they drop out, it'll soon come under control.

**Hon. W. Newman:** Yes, but that may not be fast enough.

**Mr. MacDonald:** Brother McKessock is too new a convert to the kind of policy he voted for the other night. Implicit in a farm income insurance plan, based on costs of pro-

duction, is that you may have surpluses periodically. If you have effective enough supply management you will avoid it; but periodically you're going to have it and you've got to have a mechanism to cope with the surplus. If it isn't too shocking a socialist suggestion, the government may have to buy it and give it away as part of the food aid programme or something like that.

Interjections.

**Mr. MacDonald:** At the moment we've got a surplus because of a miscalculation, and I'm not going to fix blame for it. It was partly the federal government, it was partly the provincial government and IMPIP, and it was partly the weather.

**Mr. McKessock:** I know we have a misunderstanding here in what I'm trying to say.

**Hon. W. Newman:** Oh, no. I understand what you're saying, but I don't agree with you.

**Mr. McKessock:** You understand how the income protection plan could work. As far as production control is concerned you have that so you are not going to increase your production any more by having an income protection plan on milk. But your cost of production has gone up, therefore your income protection would have to come in to cover that loss the farmers are experiencing.

**Hon. W. Newman:** No.

**Mr. MacDonald:** That's not the way it works.

**Mr. R. G. Bennett:** No. You could put it another way: If you had a cost of production income protection plan in place, like some that were suggested, and if you didn't have a national milk plan, it's conceivable the plan that was in place would fit right into that type of overall income protection plan. The way it was it really was an income protection plan. You could fit milk in with hogs and with beef, all in the one plan. You set your price on the cost of production plus. But when a surplus occurs and you can't sell it and you have to do something about relieving the surplus, the income protection plan for milk is still in place the same as it ever was.

**Mr. Ruston:** The price doesn't go down.

**Mr. MacDonald:** You don't pay for the surpluses out of the fund. Surpluses are

something you avoid in that sort of plan with effective supply management.

**Mr. McKessock:** It's a strange thing if an income protection plan would allow you to sell at below cost of production.

**Mr. MacDonald:** At this moment we are not selling below the cost of production. An income protection programme is to bridge the gap between what you can get out of the market and what you think is a fair price, based on costs of production. In the instance of the milk industry, you have that now.

**Mr. McKessock:** If in fact you have that now, then that's fine.

**Mr. MacDonald:** You have it. Milk pricing is on a formula basis, which is cost of production plus.

**Mr. Riddell:** We're not complaining about the price; it's the quantity that's hurting the farmers right now.

**Mr. McKessock:** What I'm saying is if you can't put in the quantity, you've got to have the price on what you're shipping.

**Hon. W. Newman:** Maybe you wouldn't sell the product.

**Mr. MacDonald:** Let me try to say this as unprovocatively as possible. The irony of this situation is that it bolsters the Tories' case. If you have a programme that provides cost of production, you're on occasion going to have surpluses. The answer is that you don't back away from it because you may periodically have surpluses. You use that God-given grey matter to cope with the surplus and this is what this government is not willing to do.

**Hon. W. Newman:** That's not true.

**Mr. McKessock:** The income protection plan suggested by the Federation of Agriculture was on a specified amount of production. It wasn't on an unlimited amount of production.

**Mr. MacDonald:** That's right.

**Mr. Eaton:** It was concerned with the surplus that's there, and that's the overproduction we are talking about.

**Mr. B. Newman:** Mr. Chairman, not being from a rural community but having a few farms in the area as a result of redistribution—

**Mr. MacDonald:** Don't let that inhibit you. You don't have to be a hen to lay an egg; go ahead.

**Mr. B. Newman:** —I find this discussion very interesting and stimulating. I had not realized the tremendous problems there are and have been in the agricultural community. I can commiserate with the farmers when they leave the agricultural community and go to the bigger cities, trying to get the higher dollar. But we have to have food produced in the country and as a result we are going to have to look after or find some mechanism to see that the farmer stays on the farm.

As I was in here I happened to be reading a newspaper called the Times, the issue of June 9, and in that issue they make a suggestion I thought I would bring to the attention of the minister to see if it merits any consideration. This is an editorial concerning what should be done so that the citizen, the non-farming community, doesn't start jumping on the farmer, saying that he is getting too high a price for his miscellaneous produce. They say:

Weekly publication of the differential in prices, between what the farmer receives for his produce and what the consumer is paying for it, should be publicized. Then the consumer will realize that it is not the farmer that is making the dollar. If there is a dollar being made it is somewhere else.

Is there any merit in the suggestion as in the editorial of the Times, the June 9 edition, this year?

**Mr. MacDonald:** What Times it is? London?

**Mr. B. Newman:** No, it is a newspaper published in Essex county. It is a weekly with a circulation of about 65,000.

**Hon. W. Newman:** In answer to your question, I think we discussed that at some length the other night under another vote.

**Mr. B. Newman:** I just looked at marketing, farm products marketing, generally. Whether it fits in one category or another category, I don't know but to me that seems to sound sensible.

**Hon. W. Newman:** I'd say this—I'll go on record again as saying this—I don't think the farmers of this province get into farming to make a fortune. A lot of them have a difficult time making ends meet. We have a major

problem in the milk industry. The milk commission has commissioned a report—I mentioned the company the other day; Woods Gordon, I believe it is; Price Waterhouse, sorry—on the cost of milk from the farm, from the cow, to consumers. They will have the report done probably sometime this summer.

**Mr. B. Newman:** I don't think the article really refers to milk. I may have brought it up at the wrong time—

**Hon. W. Newman:** Milk is just one of the problems. It could give us a very good insight into the milk industry.

I'm sorry; the report is on the price after it leaves the farm gate. Where does it go; what does it cost to process it at the milk plants; what is the markup in the stores; and should you buy milk, I suppose, in various kinds of containers—

**Mr. B. Newman:** Would the minister consider using such a thing or publicizing the average price paid for you name the commodity to the farmer and leaving it at that, letting the consumer compare that price with what he is paying for the commodity at the retail level?

**Hon. W. Newman:** We have a service within our ministry and it is used a great deal across the province by the farm community. I think it was in the hundreds of thousands of people who phoned in last year. They can get market prices on almost an hourly basis on what the farmer is getting for commodities. It's usually in the financial section of the Globe and Mail and many other newspapers each day; what cattle prices are, what hog prices are, what sheep prices are, and in the case of many other commodities the actual prices the farmers are getting. We all know what it is. All we have to do is pick up a newspaper and it's there.

**Mr. B. Newman:** But being a layman, I don't look back in those financial pages of a newspaper. I look on page 1 and page 3 where the general news is printed and where I can see I am paying X amount of cents or dollars for a given commodity, yet when that farmer sold the commodity to the wholesaler or retailer, he received substantially lower, maybe one-half, or one-third of what I paid for it.

**Hon. W. Newman:** We were talking about this the other night. The member for York South brought this up and discussed it at some length. The milk prices, what the farmer gets, are published. We know for group I pool milk he gets \$12 a cwt., is it?



**Dr. K. A. McEwen:** It is \$12.01.

**Hon. W. Newman:** It's \$12.01 per cwt. for fluid milk that's going to the food market, that's the milk you are buying in the stores.

**Mr. B. Newman:** You lost me there. You say \$12.01 per cwt. If you turned around and said it was six cents a quart or something of that sort—

**Hon. W. Newman:** Figure it out.

**Mr. B. Newman:** —or 20 cents a quart, then I understand.

**Mr. R. G. Bennett:** It is 28 cents a quart.

**Mr. B. Newman:** The consumer would understand that. But I don't think he would understand the cwt. figure.

**Mr. Riddell:** In some cases the figure wouldn't be too meaningful to the consumer anyway. It would maybe mislead the consumer, because in the case of meat the price can fluctuate in such a short period of time. When the processor buys the carcass, the meat, the animal on the hoof, by the time he gets it processed and that meat then gets into the retail counter there can be many things happen to the price of the meat.

**Mr. MacDonald:** We dealt with the problem the member for Windsor-Walkerville raised. I'm not dismissing it, but the government won't move. The Food Prices Review Board made a study and pointed out that milk is overpriced. The highest profits at the retailing level are to be found in the city of Toronto, among all the cities of Canada. Their recommendation was that this government should see that prices were rolled back, I think it was by three or four cents. I don't happen to have the document at my fingertips.

We have price controls from the farmer up to the processor, but the processor can do as he damn well pleases from that point on. So can the wholesaler and so can the retailer. The logic just escapes me, when I attempt to learn why you should have price control at the farm level and then, once you get beyond the processor, have no price control so that the consumer can be victimized.

**Hon. W. Newman:** We get into the whole thing of the free enterprise system.

**Mr. MacDonald:** Nuts; you haven't got free enterprise.

**Hon. W. Newman:** Oh yes, we got into it the other night.

**Mr. MacDonald:** You haven't got free enterprise in the first half of the chain.

**Hon. W. Newman:** No, because we have formula pricing.

**Mr. MacDonald:** Right.

**Hon. W. Newman:** Formula pricing to assure fair return to the farmer.

**Mr. MacDonald:** Let's make certain that we don't permit an excessive, exorbitant gouging of the consumer beyond the processors.

**Mr. Eaton:** Who is making it?

**Mr. MacDonald:** The retailers are making it. They are buying it cheap and they are selling it at an excessive price.

**Mr. B. Newman:** Is there not a system such as the editorial describes, used in other provinces? I understand some of the western provinces follow a system like that, where they publish in the paper the price paid as it leaves the farm in comparison to the price paid at the final end at the retail level.

**Mr. MacDonald:** The socialist government of Manitoba does it every week.

**Hon. W. Newman:** Let me give you an example and perhaps it might clarify it.

**Mr. Riddell:** Is their food any cheaper?

**Mr. MacDonald:** At least they are aware of the situation.

**Mr. Riddell:** They are spending their tax money on advertising something useless.

**Hon. W. Newman:** As an example, you might sell a cow on the market at 24 cents a pound. You might sell a cow on the market at 20 cents a pound. You might sell a finished steer at 40 cents a pound. You might sell it for 38 cents a pound.

[4:30]

**Mr. B. Newman:** What you are really telling me there is that cars are Cadillacs and Volkswagens. It's the same thing in food. You've got different qualities, and as a result there would be a different price. It's a different price for a Volkswagen and a Cadillac; so you would have a different price for a red, or a No. 1 beef, as compared to the colour or whatever name is given to the lowest grade.

**Hon. W. Newman:** All right, you might have 20 different models of cows, you might have five different models of pigs and you might have 10 different models of sheep. Do

you realize the bureaucracy and the money and the time and the effort to do a thing like that?

**Mr. B. Newman:** I don't know, Mr. Minister, that's why I'm asking. If I knew off the bat I wouldn't have asked the question at all.

**Hon. W. Newman:** I'm just trying to give you an example of why I don't think it's practical.

**Mr. B. Newman:** Okay, that's good. I'm glad you replied in that fashion, but—you see—unless I ask I'm not going to learn; and as I said earlier, not being agriculturally-oriented, prior to the redistribution the only farmers I had were window-box farmers.

**An hon. member:** We need their support.

**Mr. B. Newman:** As I said earlier, Mr. Minister, this is a suggestion by the editor of the newspaper. I thought it merited bringing to your attention; and also, from what I understand, it is an accomplished fact in some of the western provinces, or at least one of the western provinces, as Mr. MacDonald made mention. It's done on a weekly basis. If it's done there, maybe there's some way it could be done here to protect the farmer.

**Hon. W. Newman:** That's right.

**Mr. B. Newman:** That's what I'm interested in. We want to keep that farmer in production.

**Hon. W. Newman:** The total agricultural production outside of wheat in the Province of Manitoba would probably fit into one county in the Province of Ontario.

**Mr. B. Newman:** You may be right, Mr. Minister, I don't know.

**Mr. Ruston:** We've discussed this milk situation a fair amount, Mr. Minister. I have talked to two or three in my own area, and being class A shippers they don't have as much a problem as other ones, although one of the gentlemen called me who is a very hard-working farmer and has two sons involved with his farm operations. He has a lot of milk cows. He said: "One of the things bothering me is the milk situation now." As you know, they're paying off about 84 per cent of the class 1 quota, which is top rate. But if he doesn't ship 90 per cent of his quota then he can lose quota. He said: "It seems to me that right now, when we've got an emergency and we've got too much milk, couldn't the board in some way waive that regulation so that it isn't necessary for people to go out

and buy cows to keep up within 90 per cent of their quota?"

**Hon. W. Newman:** I think they have done something about that. You'll have to ask Ken McEwan. I think it's just been done very recently.

**Dr. K. A. McEwen:** There is a maintenance clause, and the rate is adjusted depending on the circumstances.

**Hon. W. Newman:** Do you want to explain it? What you're saying, in effect, is that if they drop below their quota so they won't lose any of their quota and won't have to go out and buy a new cow to keep up with the No. 1 pool.

**Dr. K. A. McEwen:** What you're saying, sir, is what is commonly known as the maintenance clause for the group—pool quota, and the board is continually observing that and watching it and adjusting it as it feels it is required to be adjusted. However, their major concern is that there be ample supply of grade A milk for the fluid consumption, or for the bottle trade, and it's for this reason mainly that the maintenance clause is there on group 1 pool or the grade A producer.

**Mr. R. G. Bennett:** It has this other effect—and I go back to Mr. McKessock's discussion on the amount of quota that's available—if a fellow drops below his 90 per cent but still wants to retain that quota and there is somebody else over here who hasn't got enough quota, and, in effect, the board can reduce his quota, which means that much more quota comes back into the board for redistribution again. It can help this other thing too, so there's a lot of ways of looking at it.

What Dr. McEwen says is that in the group pool, because it's supplying the fluid trade on a daily operation, the board has to maintain a certain level. If there's a shortage, you'll have to import. It is important that you have enough to supply the daily needs. If somebody isn't using what he's got then the board's approach is to penalize him and bring it back into the system and give it to somebody who will.

**Mr. Ruston:** Yes, I'm aware of that. Another thing that he was concerned about—and I talked to him on the telephone just the other night—was the 15 per cent reduction. They've lost that 15 per cent and that's been cut down completely. When can they reproduce that again? What is the situation going to be? He loses his 15 per cent now, but that's on a temporary basis. If I understand this correctly, when the market share quota

for all of Canada would come back, he would then be brought up to his 15 per cent in a year's time or whatever time they might need?

**Hon. W. Newman:** With the overproduction that there was last year, it means a cutback of 18 per cent in Canada and about 15 per cent in Ontario to meet the target. I was concerned about an overall 18 per cent cutback across Canada because if we get into a dry fall or into some drought situations such as we have, as someone was bringing up here last night, the thing could turn around again. That's why I feel that way on the MSQ part of it. If you're talking about 1 pool, it's a different situation. Some of the 1 pool people also have market share quotas.

**Mr. Ruston:** He has market share quota.

**Hon. W. Newman:** There's a possibility, as milk production does come back, that we'll get a dry situation where they may alter that cutback figure later on this year. It is a possibility. I'm not saying they will but I'm hoping they will do it now.

**Mr. Ruston:** He's cut back 15 per cent of his market share quota but you can't give that to anyone else then.

**Hon. W. Newman:** Oh, no. We wish we could.

**Mr. R. G. Bennett:** It is taken out of the system.

**Mr. Ruston:** The only way he can get back if he wants to get more is to buy it.

**Mr. R. G. Bennett:** That's right. It depends on what's left.

**Mr. Ruston:** Being a milk shipper for 44 years he's a little concerned. He says he realizes the problem some of the new shippers have, but he says he's got an established business here and his boys have been borrowing money to keep the business going and to expand a little. He just wanted to explain to me that it isn't just the new shippers as some of the members have mentioned. I know they've got problems but he says it's affecting him too. Those are a couple of the things he brought up. The reason I mention it is he's a very good farmer and a very good citizen in the area. They work hard and he just wanted to let us know that was a concern that he had too. He's been a shipper for many years. People in Essex county actually had a quota before he ever went into Ontario milk quotas back in 1967 when it was brought in. We did suffer a fair amount then because we had quotas

with the dairies and a number of them had problems at that time.

**Hon. W. Newman:** So did I.

**Mr. Ruston:** Yes, because you'd have the Toronto area; that's right. However, that's about all that I have.

**Mr. Riddell:** It's difficult to understand the type of farmer that Mr. Ruston is talking about though. I hear you people saying it's the long-time producer that's in trouble too. You can't tell me that about the long-time producer who probably bought his land for \$100 or \$200 an acre.

**Mr. Ruston:** But he just bought some more land. He's got two young boys there on that farm land.

**Mr. Riddell:** All right, so he can average that price out over his \$100 land. But you can't tell me the guy that's got his mortgage paid off and has had to take a 15 per cent cut—

**Mr. Ruston:** He hasn't got his mortgage paid off. Don't you know you never get a mortgage paid off on a farm?

**Mr. Riddell:** —is in as bad a situation as that new producer that has land tied up at \$1,000 an acre.

Interjections.

**Hon. W. Newman:** Gentlemen, I hate to see dissension in here. I mentioned the other night the order of priority of the Milk Marketing Board, basically the MSQ, the new producers. The MSQ has only been in it for a short period of time but we're building up. The MSQ person is not as badly off as the others and then there is the group I pool. The group I pool people have been into it for a long time. They may take somewhat of a cut this year, but they don't have nearly as serious problems.

**Mr. Ruston:** They've got problems too. He has all those cow-calf operations and he gets big subsidies. It makes it bad for us fellows.

**Mr. Chairman:** Order, please.

**Hon. W. Newman:** Did you say that's a big subsidy? I'm glad to hear that.

**Mr. Ruston:** It looks big to us.

Interjections.

**Mr. McKessock:** On this subject, I could just give you one little fact that will maybe help solve the situation. I was talking about



the beginners and ones who expanded too, but the ones who have lost the 15 per cent—I've just figured it out here—on a 70-cow herd will have \$13,000 taken off their income this year with the 15 per cent drop. That is taken off their net income, so depending on how much they were making last year, you can see how much profit they are going to have left.

**Hon. W. Newman:** No, that's gross.

**Mr. McKessock:** That's right, \$13,000 taken off their gross, but if their net income was \$15,000 that means their net income this year will be \$2,000.

**Hon. W. Newman:** Yes, but it also depends on the efficiency of the cows, the amount of milk the cow will produce, the efficiency of feed.

**Mr. McKessock:** I figured this out on 11,000 lb per cow.

**Mr. Hodgson:** Mr. Chairman, through you to the minister, I had one of my dairy farmers in today.

**Hon. W. Newman:** Yes, I know, I was talking to him.

**Mr. Hodgson:** I couldn't explain it to him, though maybe you explained it, but he is quite a large producer, he has over 100 cows and he is very efficient, but he just got his milk cheque today and he was short \$700 over his last month's cheque. They deducted \$700 from his cheque. He said they deducted \$8.60 and he received \$8.63, it cost him 57 cents to ship the milk to Toronto. He said he would have been in 54 cents if he had dumped the milk outside the barnyard. Could you explain that?

**Hon. W. Newman:** Yes, I can. Is he a group 1 pool shipper?

**Mr. Hodgson:** Yes.

**Hon. W. Newman:** He would have market share quotas as well, so this would be over his allocation on his market share quota where the deduction would be deducted, but that doesn't preclude the fact that if he stays within his allocation—he has been in the milk business for quite a long time—if he stays within his production, at the end of March next year when the fiscal year is up, if he stays within his production at \$8.60 his A deduction can come back to him providing he doesn't ship over his total allocation on his MSQ.

**Mr. Hodgson:** In other words, the situation we are in today is not much different

from back a few years ago. I helped to ship milk to the Toronto market for a great many years.

**Hon. W. Newman:** In 1966 we had the same problem.

**Mr. Hodgson:** This was why the marketing board came into effect.

**Hon. W. Newman:** I'm not trying to pass it off on anybody, but the problem has come as a result of the shortage we had—whenever it was; 1972 and 1973—when the market share quota came in and there was a great encouragement to produce more milk by all provinces, and rightly so at that time.

What has happened is that they have reacted so well that there was a misjudgement—and I'm not blaming anybody because it can happen to anyone—on how much milk would be produced. In the year 1975 in Ontario our producers produced only 97 per cent of what they were asked to produce under the national plan. Quite obviously, other provinces—I don't know if Quebec produced—

**Mr. R. G. Bennett:** Approximately the same.

**Hon. W. Newman:** —about the same. So it was just—

**Mr. R. G. Bennett:** Of a larger amount.

**Hon. W. Newman:** —a miscalculation under the national scheme. So they cut back the money allocation for market share quota for No. 1, that's one of the things they did. They also included the operating expenses out of the total allocation, which hasn't helped, but they've also cut back by 18 per cent across Canada. I've said several times here I feel it is too heavy a cutback at this point in time. They also went on monthly allocations. I think it is 10 per cent or 11 per cent for June, and 10 per cent for July and 10 for August and it drops off to eight per cent in September or whatever it is. The federal government is now looking at changing the monthly allocation for No. 1. They are looking at perhaps allocating more market share quota across the country—and what was the third thing they were going to do?

**Mr. R. G. Bennett:** Well, there was the FCC thing.

**Hon. W. Newman:** Oh, the Farm Credit Corp. They are talking about extending loans to the Farm Credit Corp. These are things they are looking at.

**Mr. Hodgson:** Producing too much milk is the same as when we are producing too much beef.

**Hon. W. Newman:** Yes. I'm just trying to explain how it came about that there is too much milk on the market.

[4:45]

**Mr. R. G. Bennett:** In 1973 we were producing 69 per cent of our allotted quota. We lost six million pounds because of that, that went to Quebec. But the minister says by 1975 we had brought this back up because we were encouraged to do it. We produced 97 per cent of that lesser quota; that was from the lesser base after we lost the six million, and we still only had 97 per cent and we still had too much.

**Mr. McKessock:** On that income protection plan that I was talking about, just to kind of clear it up, I figured out here where a farmer with 70 cows will have \$13,000 taken off his income this year with the 15 per cent cut. I think this is the reason that this income protection plan was sent back for revision, because I think the way OFA recommended a plan was it would pay more than just cost of production for a specified amount of production. So for a 70-cow herd, a two-man operation, it should allow for a family farm to get a living. Naturally, you have to have your market controls on there, which you already have. I hope you understand that if a fellow's net income is going to be cut by \$13,000 it's a gross cut but it's also a net cut because it comes off the top.

**Hon. W. Newman:** I don't dispute your figures but I would like to have a chance to go over them, if you would like to give them to me, and we will have our people work those figures out.

**Mr. McKessock:** Well, there's nothing to it. It's 11,000 lb per cow at \$11.40 per hundred and take a 15 per cent cut.

**Hon. W. Newman:** I am not disputing your figures. We could probably work a calculation out on it depending on 11,000 lb, how much MSQ he's shipping—

**Mr. McKessock:** It's all MSQ.

**Hon. W. Newman:** —how much did he ship over his allocation, how much under his allocation over the year last year; you know, there are many factors that have to be worked out. It's not as simple as that.

**Mr. MacDonald:** There's another facet of the kind of programme that you voted for, Bob, if it is based on the BC style, and that is that you pay your so-called negotiated price up to a fixed level, and if you produce beyond that, you are not guaranteed that price.

**Mr. McKessock:** That's right.

**Mr. MacDonald:** Okay, but in this instance, because of the over-production and our involvement in the national scheme, that fixed level had to be reduced. So anything beyond that you don't get paid out of the fund.

**Mr. McKessock:** Sure. That's not saying what the level of the fund is going to be or how much per unit it's going to be. You still have to make a viable farm unit.

**Mr. MacDonald:** The fixed amount per unit is negotiated. There is no—

**Mr. McKessock:** That's right.

**Mr. MacDonald:** —problem with milk in terms of getting an appropriate price. It's one of the few products that has got an appropriate price. We want to get them all on the same basis. At least we do, I don't think the Tories do.

**Hon. W. Newman:** May I suggest, Mr. Chairman, if it is possible to suggest—I am not being difficult I hope—that we have dealt with stabilization before. We've dealt with it in the House, but can I set up an appointment for you with one of our people so we can sit down with a paper and a pen and go over the whole thing with you in detail?

**Mr. McKessock:** I'd be glad to.

**Hon. W. Newman:** If you would just give our office a call we'd be glad to set it up for you. Actually what Mr. MacDonald is saying is that he would like to have for all commodities what we have in milk at this point in time.

**Mr. McKessock:** Right, but it's got to be a viable unit. A family farm has got to make a living on it.

**Hon. W. Newman:** Sure they do, but we've got a surplus right now, a surplus of milk powder. It's a world surplus.

**Mr. G. I. Miller:** Mr. Chairman, to the minister. In regard to the milk quota, I haven't been able to sit in on it; has it been discussed?

**Hon. W. Newman:** It sure has—for the last 1½ hours.

**Mr. Hodgson:** Read Hansard tomorrow, Gord.

**Mr. G. I. Miller:** Anyway, I did have a call from a producer in my riding. His milk cheque was something like \$3,138. The deductions were \$1,579, which left him a net return of something like half of a milk cheque. I think this is a real serious problem pointing out the fact that they do need protection, and that the IMPIP programme was brought in without any consideration. To make another point, we got the people involved with no backup from our ministry in Ontario. I don't think we can expect the farmers to provide all the money for holding on to surplus products. I received two other calls and I know they're on the same basis because they must have received their monthly cheques.

**Hon. W. Newman:** There were no cheques given out yesterday. They will be coming out today and tomorrow. Does this fellow have an IMPIP loan?

**Mr. G. I. Miller:** No, I don't believe this one does, but there are two calls that I have to return. I know they have IMPIP loans or I presume they do. Were they given any more quota? Do the ones on the IMPIP loans have access to any special attention?

**Hon. W. Newman:** With the forbearance of everyone else here I'm prepared to go through it all again.

**Mr. G. I. Miller:** No, don't do that. Just give it to me briefly, please.

**Hon. W. Newman:** Very briefly, the Ontario Milk Marketing Board is trying to buy market share quota and has offered three cents a pound for it. They are giving it out on a priority basis to the new producers and those who have been in business for a couple of years who are building their production. They will be the first to be considered. No. 1 are the new producers; No. 2 the others who have a problem; No. 3 those with market share quota and, finally, those on a fluid or No. 1 quota basis will be the last to be considered because, by and large, most of the total fluid shippers are the group 1 pool shippers. They are not as badly off as the others. Many of them have MSQ as well as group 1 pool milk. We've been through it. We have made some announcements. The federal government has suggested it is prepared to look at certain

ways to help solve this problem. I have a news release from Mr. Whelan's office saying they're prepared to look at it. I'm meeting with the Milk Marketing Board and the Milk Commission tomorrow afternoon to discuss this. I will be talking with Mr. Whelan early next week on the matter to see if we can't do something. We have made the recommendation to Ottawa to cut the 18 per cent back to six per cent. Am I going too fast for you?

**Mr. G. I. Miller:** No, that's okay.

**Hon. W. Newman:** We're trying to get the powdered milk back to some of the producers on a pro rata basis. We will have other suggestions to make when we have the meeting tomorrow. Mr. Whelan is aware of the situation and of the effect of the cutback of the federal money allocated for the dairy producers this year under the national plan, which is the industrial milk or MSQ plan. It's a very complicated and serious problem.

**Mr. G. I. Miller:** You're dealing with it sincerely and I appreciate that. On the same debate, how about the tobacco marketing board?

**Mr. Chairman:** We've been debating and discussing the Milk Commission, the milk industry and Ontario food marketing development. Then we're going to discuss farm products marketing.

**Mr. G. I. Miller:** Thank you.

**Mr. Chairman:** Is there any further discussion on the three items we've discussed?

**Mr. MacDonald:** We're going back to marketing, are we?

**Hon. W. Newman:** Yes, farm products marketing.

**Mr. Chairman:** The Milk Commission and the milk industry part is carried.

**Mr. McClellan:** What about Ontario food marketing?

**Mr. MacDonald:** Oh, no. That's a different thing altogether. It's the Ontario Food Council. I have the odd thing to say about it.

**Mr. Chairman:** We are on farm products marketing.

**Hon. W. Newman:** Our people who have been on appeals today on tobacco are here. If it's all right with you, shall we go back to farm products marketing?



**Mr. Chairman:** We'll discuss farm products marketing. Mr. MacDonald.

**Mr. MacDonald:** Mr. Chairman, may I just quote to you three or four sentences from the Cattlemen's Association brief that I think we have all had an opportunity at one time or another to hear in the last week? These are proposals they are making by way of lessons to be learned from the Essex Packers shemuzzle.

A proposal by the committee which was endorsed by the board of directors sought:

1. A requirement for prompt payment for all cattle.

2. The establishment of a security fund for cattle sold direct to the packer from per head deductions on a four to one basis from packer to producer.

This proposal has been discussed with the committee of the Meat Packers' Council who have endorsed it in principle [the prompt payment provision] but have rejected the per head deduction and suggest as an alternative the licensing and bonding of all livestock dealers in Ontario in a manner similar to the dealer licensing regulations in Alberta.

I have two questions. As I understand it from discussion with the cattlemen, it's really a relatively small proportion of the farmers who don't get paid promptly. If you sell at the stockyard, you get your cheque before you leave.

**Hon. W. Newman:** And just community sales.

**Mr. MacDonald:** It's just community sales.

**Hon. W. Newman:** No, and just community sales.

**Mr. MacDonald:** That delay, of course, combined with that postal strike last fall is what really created the problem, as I understand it, in Essex Packers. Isn't it possible at your level, particularly since the meat packing council says it agrees with it, to sit down and work out something whereby no matter where it is sold the money for that animal is in trust from that point forward? Therefore, any delay in getting the cheque to the person is irrelevant, because the money is in trust. That's point one.

**Hon. W. Newman:** Okay. I met with the Ontario Cattlemen's Association too, but prior to meeting with the Ontario Cattlemen's Association I made a statement in the House that I was setting up—and have set up—a special

committee to deal generally with bankruptcies and ways to get around it so that we don't get into these sort of problems in the future. I have appointed five people to that committee as of this morning. I haven't announced it in the House as yet, so I hope you will forgive me if I preclude the House; I asked Mr. Charlie Gracey of the Canadian Cattlemen's Association to sit on that committee.

It will be a six-man committee from our ministry, from Consumer and Commercial Relations, Management Board and some well-known farmers. They will be hearing representations from the Ontario Cattlemen's Association, from the OFA—I assume from all groups—and they have had their initial meeting. I believe they have had one or two meetings, and on the recommendation of some people today I asked Mr. Gracey if he would be kind enough to sit on this committee and he has agreed to sit on it.

There are many aspects to it. The poultry industry, the cattle industry, the fruit industry, you name it—it's not just because Essex Packers has been brought to our attention that I set up this special committee to deal with this matter. There is a lot of expertise on the committee, the Ontario Cattlemen's Association has done a lot of work in this field. They will have their input into the committee, and I've asked them to bring forward something as quickly as possible. There are schemes in other provinces, some sort of schemes, and there are schemes in other parts of the world. They will not be allowed to travel outside of Canada, but certainly we will be looking at schemes that are used in other areas and bringing forward recommendations as soon as possible.

**Mr. MacDonald:** Okay, I don't want to prejudice the work of that committee but it seems to me that whatever mechanism—and I can recognize that the mechanism may have to vary from product to product because you've got different conditions in the marketing process—but whatever mechanism, it seems to me some mechanism to implement the simple proposition that once the product has been delivered the money that the farmer is entitled to goes in trust. That means you circumvent this bankruptcy preclusion, which gives the bankers and everybody else except the farmer who produced the produce, first crack at the assets.

**Hon. W. Newman:** Yes, and prompt payment is one of the very important aspects that we will be looking at. But there are other aspects too.

**Mr. MacDonald:** What about the licensing?

**Hon. W. Newman:** They are looking at licensing. They are looking at the whole field.

**Mr. MacDonald:** I see. Okay.

**Hon. W. Newman:** When I met with the Ontario Cattlemen's Association I think that they were satisfied with—

**Mr. MacDonald:** Is there a deadline on the report?

**Hon. W. Newman:** No, I didn't put a deadline on, but certainly when I met with them at their initial meeting—Mr. Gracey was not on it at that point in time—I pointed out to them that there was a need for expediency on this and I wanted them to move as quickly as possible. Due to the fact that some of them are active farmers, there may not be a great number of meetings held in July and August, but certainly the staff part of the committee will be working.

**Mr. MacDonald:** The second point I wanted to raise, Mr. Chairman, is to come back to something we've had some questions in the House on but we've never been able to come to grips with, because as you know, you can't debate in question period. Let me throw it into a context that shows that it is a serious matter. I used this in the House a week or so ago. At a meeting in Stratford your parliamentary assistant—

**Mr. Eaton:** Strathroy.

**Mr. MacDonald:** Strathroy, was it? Sorry. You're right. Sorry. Your parliamentary assistant quoted "ministry official"—I guess it is a good thing they remain unidentified—as saying: "As one of our fellows put it, it's all legal but it looks pretty damned immoral." It's not only immoral, Mr. Chairman, I think it is something more.

Just let me sketch it in for those members of the committee who are not familiar with it. What happened was that the Vegetable Growers' Marketing Board last year negotiated a price of \$61.25 a ton for processed corn. And because of the problem in the international market this group of growers down in the Trenton area agreed—and there were even allegations that there was going to be a kickback, they would pay the \$61 and then the farmers would kick it back—to a \$45 receipt. In other words, they were undercutting the negotiated price of their own Vegetable Growers' Marketing Board. The thing that I find disturbing about it is that now apparently the suggested answer is that the processors will form a co-op and that—

[5:00]

**Mr. Eaton:** Producers.

**Mr. MacDonald:** —sorry, the producers will form a co-op and that this plant will be used by this co-op of producers to process the product and, therefore, of course, they will be able in the co-op to pay whatever they want, because apparently they are not going to be bound by the Vegetable Growers' Marketing Board's \$61.25 a ton.

I have one specific question I'd like to get factually answered. Ed Mailloux, the chairman of the board, and I presume that is the Farm Products Marketing Board, has asked the province to investigate the situation. Has the plant been licensed for this coming year?

**Mr. Burrell:** No.

**Mr. MacDonald:** Is it likely to be licensed?

**Mr. Burrell:** The question is, if this co-operative is formed, and at the moment it's not. It has written in and asked us for application forms and information regarding licensing, which have been sent to them and that's as far as it's gone.

**Mr. MacDonald:** The thing that disturbs me, Mr. Chairman, and just to show you that I'm not just expressing my own personal views, Tony Csinos, who is a director of the marketing board and happens to be out in your part of the country, is very disturbed about it. If the board has negotiated a price for across the province and either the marketing board or the government or anybody is willing to sit by and see the situation fiddled so that one group of farmers, either by kickbacks or whatever the procedure is, is going to accept only \$45 a thousand, you are undermining the collective bargaining effort, so to speak, of the marketing board, and it seems to me that this is bad.

The complaint that is coming from Tony Csinos and the people in the southwest is, why should that group of producers, who are part of the marketing board, be able to undercut what has been the negotiated price?

The other thing, it seems to me, Mr. Minister, that you have every obligation to get into the picture on, is that this plant has been the recipient of \$300,000 in ARDA grants, \$200,000 in federal government money of some kind, and an Ontario Development Corp. grant of \$300,000. In other words, it's got \$800,000 in public moneys from either the federal or the provincial government in it, and it seems to me inconceivable that you would sit idly by and let a plant become



part of this whole effort to circumvent the duly negotiated price of this product.

I know the arguments, because I've had them privately, are that you've got a problem in the export market and these people are willing to take a cut. Okay, if you've got a problem in the export market and they're willing to take a cut, it seems to me you still live with the \$61.25 and maybe you have to move into a two-price system; what you are going to pay for in Canada and, in some fashion or other, have a second price for export and it's carried across all of the vegetable marketing growers in the province, not let one group sort of come in and wreck this painfully built negotiating process, and the result of it that happens to be in this instance.

In fact, Tony Csinos is quoted in one instance as saying here—this is in the May 7 London Free Press: "I think the provincial government would be willing to bend the rules because of its financial involvement to keep the plant going. But it puts our growers in southwestern Ontario at a distinct disadvantage." You should be interested in this, Mr. Chairman. Your growers are going to be put at a distinct disadvantage.

What's going to be done about this? I am appreciative of the problem of these farmers. I'm appreciative of the fact that their costs may not be as great down in Northumberland county as they are in southwestern Ontario and, therefore, they perhaps would make as much on the \$61.25 even if they did have a kickback or even if they did take \$45 rather than \$61.25 a ton for their corn. But you are wrecking the whole procedure that the farmers have built with a lot of blood, sweat and tears down through the years, and I don't think it's in the interest of the marketing board to permit it, or the government or anybody else, and when I read quotes such as the quotes that are attributed here to Mr. Williams of the Food Council:

Doug Williams, general manager of the Ontario Food Council, which has members representing growers, processors and distributors in the consumer sections of the food chains admitted there is a heavy government involvement in the financing of the plan. When told both processors and growers have indicated they are upset with the situation, he said: "Well, what the hell! You can't please everybody. You say some of the processors are upset. So what? So other growers are upset. I am not going to comment on that. Draw your own conclusions." [He had commented on it.] Mr. Williams said he doesn't under-

stand why other processors and growers are upset because Trenton production is geared to the export market. "That sounds like me saying I am upset because I bought a ticket in Wintario and I didn't win anything and you did," he said.

That's just sheer garbage, forgive me. Furthermore, for a man who is at the head of an important body within this ministry, who has so little appreciation of the whole process of collective bargaining which the marketing boards have developed, to make comments like that, I just find almost unbelievable. I would like to know what the minister thinks about it or, more important, what he is going to do about the whole situation.

**Hon. W. Newman:** I would like to answer your query. The Vegetable Growers' Marketing Board negotiated a price of \$61.25 per ton, I believe, this year. That's what they negotiated with the growers and with the companies, and that's the price that was set.

I think you have to keep a few things in mind here. First, there is some vertical integration in the marketing process by some companies. As soon as that company, whichever company it may be, has its own acreage, and is growing its own product it doesn't have to pay \$61.25. In effect they do, but they are actually growing their own commodity and selling it and they really are blending their overall price when they do this. A group of growers in eastern Ontario decided because their market was primarily an export market they would set up a co-op—I guess they would call it that—in order that they could plant their approximately 4,000 acres of corn in eastern Ontario which would go to Produce Processors. Produce Processors is strictly a concentrating plant. It will be processing other products besides those farmers' products.

The Vegetable Growers' Marketing Board is an elected producer board. I have talked to them and I think it is up to that board which has negotiated the price and which is aware of what's going on. I think that the elected Vegetable Growers' Marketing Board has the authority to deal with any particular situation it wants to.

You talked about a two-price system. If they want to do it, that's up to them. They were aware of what was happening in eastern Ontario and the Vegetable Growers' Marketing Board is in charge as far as I am concerned.

**Mr. MacDonald:** Let's go back a bit because this situation in a strict legal sense is



even messier than I have spelled out. If you permit this group to undercut the price negotiated by the Vegetable Growers' Marketing Board, not only do you have a conflict between the producers there and the producers in southwestern Ontario, who are going to be at a disadvantage by this undercutting, but you have got a very interesting situation even with that group. Indeed it's a situation that can't be described as anything other than a fairly extensive conflict of interest because some of the producers work for the company, the processing plant, in one way or another, hauling things or doing various things for them so they have got an interest in keeping the plant going.

Some of them don't, however. So those who have an interest in keeping the plant going are not only going to penalize the rest of the vegetable growers by wrecking the negotiated price but they are going to come to a deal in which they will have advantages because they are part of the company and they are getting other payments from the company. But some of them are just plain growers; they haven't got that conflict of interest, they haven't got that alternative interest in the company, so you have got a conflict among that little group too.

Let me come back, you say the answer rests with the Vegetable Growers Marketing Board. I wish I were conversant enough with the whole operation of this situation to respond to you, because I have a suspicion deep down that that maybe isn't the whole thing. For example, the Farm Products Marketing Board has the right to license that plant, and if you, as the minister, and the Farm Products Marketing Board as your agency, say "Look, there is \$800,000 worth of money in that, and we are not going to permit a plant which has been subsidized so heavily by public monies to wreck a carefully built bargaining system through the Vegetable Growers Marketing Board across this province," then they don't get a licence and that's the end of it right there.

**Hon. W. Newman:** Yes, but the Vegetable Growers' Marketing Board has the right of appeal to the Farm Products Marketing Board. Is that not correct?

**Mr. MacDonald:** No, you are not answering my question. The Farm Products Marketing Board has the right to say that this is the situation that shouldn't be tolerated, to undercut one of the local boards that comes under its aegis, and therefore it just simply doesn't license it. In fact, I understand they hadn't license it when I inquired a month or so

ago by calling the secretary of the board. They hadn't licensed it because it hadn't paid all its bills for last year, and therefore it couldn't get a licence.

**Hon. W. Newman:** Well, at that point in time, when you asked the question in the House about them not paying their bills, if I understand correctly, about 87 per cent had been paid at the time you asked me, but subsequently I understand all the bills were paid. Is that not correct?

**Mr. Burrell:** Right, they paid it.

**Hon. W. Newman:** The Farm Products Marketing Board staff—Mr. Burrell and Mr. Doyle are both here—are more familiar in detail with the situation, if you would like to hear from them.

**Mr. Burrell:** With respect to the situation of people who are involved, there is a gentleman by the name of Mr. Oosterink who operates OMAR, and he has been, as I understand it—we haven't got anything formal on this—acting as an agent for the co-op which is being formed. The co-op is not yet incorporated, and the people who are involved in it have applied for information on how to proceed with the application for a licence. That information has been sent to them. That is as far as we have been involved with respect to it.

Now, Produce Processors, which you mentioned earlier, are custom processors—this was indicated by the minister—and as processors they have to have a licence. They have met the requirements and they are now licensed.

**Mr. MacDonald:** They are licensed then?

**Mr. Burrell:** The Produce Processors are, but not the co-operative.

**Mr. MacDonald:** Can the co-op be set up without getting money, which I understand doesn't exist? When I checked with Mr. O'Meara as to whether or not the loans had been made to them for setting up the co-op, he said, "I haven't had an application, but there's not much point in getting an application because I have no money."

**Mr. Burrell:** Well, as far as that's concerned, of course, before any of these processors are licensed they have to establish proof of financial responsibility, and that is dealt with on a certain series of criteria which we deal with through a financial adviser, who receives all the information in a confidential responsibility, and reports to us on them. At this point in time, of course, we haven't got any of this information because

the company hasn't officially been formed or officially applied for a licence.

**Mr. MacDonald:** Mr. Chairman, I don't want to waste too much time on this, but just let me sum it up. I don't think that you as a minister, Mr. Minister, or the Farm Products Marketing Board, can sit idly by and watch the price duly negotiated by a local board—in this instance, a vegetable marketing board—be undercut and wrecked in this fashion.

That's the contention of Tony Csinos and Ed Mailloux, and the others from southwestern Ontario, and there are enough of you here, for God's sake, get up and fight for your fellows. They are going to suffer this year, but what is more important, you are wrecking a procedure that has been built with an awful lot of blood, sweat and tears down through the years.

You don't idly let that kind of thing be wrecked. I think that's the main thing, because it's not only a conflict, I repeat, it's not only a conflict between that group and the rest of the vegetable growers in the southwest and elsewhere, but there is also this rather messy situation of one group of the farmers in the immediate area being sort of involved with the company one way or another, so that they have a conflict of interest.

They are working it out so they are going to benefit, but the other growers who don't happen to be working for the company in one way or another are going to suffer the consequences, so they are penalizing some of their own friends in the area.

[5:15]

**Hon. W. Newman:** Do you think we should interfere with the Vegetable Growers' Marketing Board, which is a duly elected board?

**Mr. MacDonald:** If you are right that the Vegetable Growers' Marketing Board has the powers, I'm going to get back to the people who have been approaching me on this and say: "The minister says you've got the powers. Instead of just complaining, act."

**Hon. W. Newman:** Let's make it very clear what I said: The Vegetable Growers' Marketing Board is a duly elected board. If they have complaints, they can take them to the Farm Products Marketing Board for discussion.

**Mr. MacDonald:** Are you saying that the Vegetable Growers' Marketing Board has the power to stop what they deem, according to their board and one of their directors to be

an undercutting of their negotiated price for the year? They have the right to stop that?

**Hon. W. Newman:** I don't think they have that power, no. But the Vegetable Growers' Marketing Board is well aware of this and has the right to go to the Farm Products Marketing Board. Have they been to the board on this matter at all?

**Mr. Burrell:** They've just come in individually but they have indicated—not as a board—that they support the prices as were negotiated.

**Mr. MacDonald:** As a matter of fact, one of them told me—I think it was Tony Csinos on one occasion that I was talking to him—that a letter either was going or had gone from their board to the Farm Products Marketing Board.

**Mr. Burrell:** That is right. That is quite correct, Mr. MacDonald. It was in support of the negotiated price that was negotiated at that time.

**Mr. MacDonald:** You now formally have notification. What are you going to do about it?

**Mr. Burrell:** Only of that point. This is a negotiated price between a producer and a processor and we don't as a board interfere with the due process of negotiations. In the event they so wish to renegotiate that price in light of the circumstances, this is what is open to them.

**Mr. MacDonald:** No, but with respect, you're not dealing with the issue. What you've got here is an effort to breach the price that has been negotiated and you tell me that they have reiterated that they want to stand by the negotiated price. With whom does the power rest to deal with those who want to break a negotiated price? Does it rest with the local board or does it rest with you?

**Mr. Burrell:** It's a matter of breaking the agreement, if the agreement has been broken. I think we have to keep in mind that at this moment in time no agreement has been broken.

**Mr. MacDonald:** We've had some pretty clear evidence there that some people intended to breach it.

**Mr. Burrell:** That could be, but when that time comes the onus is on the Vegetable Growers' Marketing Board to indicate and take the necessary action through the courts

that certain person are in contravention of the agreement. That would be the procedure.

**Mr. MacDonald:** So the procedure rests with the Vegetable Growers' Marketing Board to take action in the court against one of their own members or a group of their own members for breaching the contract.

**Mr. Eaton:** I would like to comment on this because it certainly has quite an effect on my area, and I was at that meeting. I want to draw to the attention of the minister some things in that statement of the chairman of the vegetable board. At that time, he indicated that he was against it but at the same time he had been down here and met with the producers from the other area and indicated he wanted to find a way to see that that corn was processed some way and that those growers had an opportunity to grow the corn. If they go ahead as a co-op and do it, they are processing their own product, which any processor in the province has a right to do. There are mixed feelings in our area by the producers in regard to it. Some of them say that if the producers in that area want to do that, let them go ahead and do it. Others have objected to it.

There are also mixed feelings by the producers in our area in regard to the negotiation of the price. A number of producers are losing their acreage because of the price that is set. They are going to take some of the corn production back to the United States as some of the companies felt that \$61.25 was too high. They are producing it in the States rather than here and quite a large acreage in my riding has been cut back because of it. They have indicated to their board what they felt. Not all the producers who have been cut are saying this but some of the producers who have been cut are saying the board didn't do a good job in negotiating because they didn't consider what the price of \$61.25 meant in acreage cuts when they negotiated.

There are rather mixed feelings on the whole matter amongst producers. I think we have to look a lot farther ahead on the thing too as to what happens in the coming year. If some groups like this are going to process their own and be able to, in effect, undercut prices that are going into overseas markets, then some of our processors who have been growing under contract a large part of their product, are going to be wanting to vertically integrate more of their production so that they can compete on those prices too.

So there's a lot of complications to the situation. I don't think there's any firm stand by

any group of producers in regard to the matter, and there are still some things that can be worked out. Some of our producers in the area certainly want to see a little more effort in negotiations by people like Tony Csinos, who represents our area, to consider what acreage is going to be involved in next year's contracting in regard to what price is set for the product too.

I don't think you can say there is any clear-cut right or wrong in the matter. It's something that they have to get together as a marketing board and producers and work out for the future to maintain that production in this province.

**Mr. Burrell:** Mr. Minister, may I just clear up one point with respect to the letter that we have received from the vegetable growers? We've received no complaint, Mr. MacDonald. The letter that we have received has simply indicated that they have negotiated a price of \$61.25, I believe it is, and that they expect that price to be adhered to by the producers.

**Mr. MacDonald:** To whom did the letter go? I thought it was that letter, but perhaps I'm wrong, in this April 16 reference of the London Free Press: "The Ontario Vegetable Growers' Marketing Board has asked the province to investigate allegations that an eastern Ontario processor is demanding kickbacks for corn contracts."

I don't want the minister to get excited about the kickbacks because that's just the word they use there for a \$45 price rather than \$61. Did that letter come to you, Mr. Minister, or did it go to the board?

**Hon. W. Newman:** I imagine it went to the board.

**Mr. Burrell:** The only letter that I can recall is the letter I've just referred to, which indicated that the negotiated prices are the prices that were established and that those are the ones they expected to be adhered to.

**Mr. MacDonald:** So neither the minister nor the board got that letter?

**Mr. Burrell:** There may have been a further—I don't recall the detail of it, but we can get that letter.

**Mr. Eaton:** Does that refer to a letter or just a statement by one of the people at the meeting? I think that was just a statement by one of the people at the meeting that we should investigate it.

**Mr. MacDonald:** No, no. That's Ed Mailoux.



**Mr. Eaton:** That was what Ed said at the meeting?

**Mr. MacDonald:** Yes. He's the chairman of the board.

**Mr. Eaton:** He didn't say they'd sent a letter. He just said we should investigate the whole matter.

**Mr. MacDonald:** Well, maybe Gord Wainman who did the article for the Free Press has got it wrong, but he says, "has asked the province," whatever that means.

**Mr. Burrell:** No, we haven't got that. I can't recall it.

**Mr. MacDonald:** Well, look. I agree with Bob that this is very complicated and the thing that disturbs me about it is I know something of the problem of building collective bargaining procedures, and it's even tougher on the farm front than it is on the trade union front, because it's difficult to get as much solidarity on the farm front. The thing that disturbs me is that not only are you going to wreck this scheme, you're going to have the processors who have paid the \$61.25 saying: "Why the hell should I pay \$61.25?" Perhaps it does get back into the Vegetable Growers' Marketing Board, who will take perhaps a more realistic look in terms of their acreage for next year, but its ramifications can be bad. We got into a bad situation with eggs this year which harms all marketing boards because one marketing board is derelict. When we get into a battle on FAME, if I may go back 20 years—my memory goes back—I've been around here too long.

**Mr. Ruston:** That is what is the matter.

**Hon. W. Newman:** You said it, not me.

**Mr. MacDonald:** You see, co-operatives were hurt by the whole reputation that FAME got. You hurt all marketing boards by the reputation that CEMA got, and now you're going to have an awful lot of marketing boards, in their efforts to get procedures that will stick, rather seriously threatened if people think this kind of thing can be done and gotten away with.

**Mr. G. I. Miller:** With regard to the Tobacco Growers' Marketing Board, how many applications have there been for appeals? Have you had many appeals come in?

**Mr. Burrell:** I think we've had 33 or 34 appeals, of which we've heard about 21.

**Mr. G. I. Miller:** Have they all been dealt with now?

**Mr. Burrell:** Not all of them, no.

**Mr. G. I. Miller:** It was brought to my attention that the good producers who have been producing more poundage per acre, feel they have been hurt by the fact that they are allowed only 69 lb above the average; is this correct?

**Mr. Burrell:** Well, it varies. The tobacco board has developed a formula where producers who produced over 2,600 lb will be established a quota at 2,600 lb. Producers who produce less than 2,300 lb will be brought up to 2,300 lb., and those in between 2,300 lb and 2,600 lb will be given the actual poundage that they received that year; their best year in the last 11 years.

**Mr. G. I. Miller:** So they do have the right to be heard if they want to appeal the decision?

**Mr. Burrell:** That is correct.

**Mr. G. I. Miller:** I think that is about all I would like to say at this time, Mr. Chairman.

**Mr. Riddell:** Mr. Chairman, we've been talking about investigating this producer co-op trying to undercut the negotiated price, and it seems to me Essex Packers came up in the discussion. Would it be unfair to ask the minister if he would share whatever knowledge he could with us as to the situation in connection with the Essex Packers' bankruptcy, and the government's handling of the Guelph plant and leasing it to DeJonge?

You know, there is something very odd about this whole thing. Essex Packers went into receivership, DeJonge then operated both the Guelph plant and the Hamilton plant while it was in receivership. Then, almost the day it came out of receivership, there was a layoff at the Hamilton plant and they went down to a skeleton crew.

I remember being at a meeting of the Ontario Federation of Agriculture when you got up and gave a talk and you indicated that the farmers should not accept the first price that came along. I think you fully knew at that time that DeJonge were offering 15 cents on the dollar so obviously you must have had something else on your mind. I think you also realized that there was another offer by Bradley and Watson, I think they were prepared to pay the farmer 100 cents on the dollar if they could have leased the Guelph plant. They weren't interested in the Hamilton plant. For some

reason you chose not to separate the two—or whoever it was, I suppose it was the Minister of Correctional Services but I'm sure you must have had some involvement or influence in the final decision that was made.

We now learn that some of the assets of Essex Packers were used to pay off Frederick and Harrod, which was a supply company in the States. They gave them a cash payment, as I understand, paying them 100 cents on the dollar and they were unsecured creditors, and our own farmers in this country, also being unsecured creditors, had to settle at 15 cents on the dollar.

Just what is the situation? Do you not agree that, in the first place, the Guelph plant should have been separated from the Hamilton plant, and then if Bradley and Watson were prepared to pay the farmers off, who were the big losers in this deal, at 100 cents on the dollar, wouldn't that have been far better than to have leased it to DeJonge? I am not discrediting DeJonge's; one of the DeJonge boys apparently had a few charges laid against him, but you can't penalize a man for life because he did something wrong at some particular stage.

**Mr. McKessock:** It says in Farm and Country here, "a convicted farmer swindler."  
[5:30]

**Mr. Riddell:** Well, that is pretty strong to my way of thinking. But some farmers are going to go out of business apparently because of this whole deal; there are some farmers who lost \$24,000, \$23,000, \$21,000; they're in here practically every other day, they're working on it. I understand they're thinking about hiring one of the best bankruptcy lawyers they can, because he feels that there is something shady about the whole deal and he thinks he can win on this. I don't know whether you people are holding anything back on it or not, but there's just something wrong about the way in which the government handled that Guelph plant. If you want to go back further than that, there was something wrong when the Guelph plant was first leased to Essex Packers, who were on pretty thin ice. Whether Essex was the only one that was interested in the Guelph plant, I have no idea. But take a look at their books back at the time when they leased the Guelph plant and, boy, they were on pretty thin ice.

**Hon. W. Newman:** Maybe I could just very briefly answer, at the risk of stepping

into the wrong estimates for a moment, because it does come under Correctional Services, as you well know. I did speak to the OBIA and I did spell it out in my speech that I didn't think the farmers should accept the 15 cents on the dollar. I think I said that loud and clear. I had a phone call from a Mr. Watson. I can't give you the exact time frame, but it was somewhere before that meeting. He said, "Look, we'll pay the farmers off 100 cents on the dollar." I believe I said to him at that point in time, and I can't remember the exact conversation, "Make a firm offer to the Minister of Correctional Services." Again, I'm stepping into his territory when I'm saying this.

When it came down to the actual hearing day, whatever it was, on the bankruptcy details, there was no other firm offer in at that point in time outside of the DeJonge brothers, who said they would not only operate the Guelph plant but would operate the Hamilton plant. I was disappointed there was no other firm offer. But keep in mind that had they even brought a firm offer in to pay the farmers off 100 cents on the dollar, the legal implications—I'm not a lawyer—would be such that I'm quite sure some lawyer right away would have filed whatever you file to say that whatever money was paid in would have to be spread over all the creditors. They couldn't just pay off the farmers; it would be spread over all the creditors because of the legality of the situation.

**Mr. Riddell:** Apparently it didn't happen when they made a cash payment to Frederick and Harrod. They paid them off on part of what was owing. They paid them off 100 cents on the dollar. Then when they finally got the accounts receivable straightened away down there, it ended up that Frederick and Harrod—and somehow Kresge's are involved in this—

**Hon. W. Newman:** Who?

**Mr. Riddell:** Kresge's are apparently somehow involved in this, but Frederick and Harrod is the one I'm sure of. It ended up that they actually got paid what was owing them in total, 43 cents on the dollar. They were unsecured creditors, as I understand it, the same as the farmers.

**Mr. MacDonald:** Was it under the bankruptcy trustee at the time that payment was made?

**Mr. Riddell:** It was after it went out of receivership. Maybe it was because when



they found out down there there were accounts receivable, they were going to tie them up. When it gets tied up in the courts and whatnot it takes some time to resolve the situation. What Essex Packers, or DeJonge on behalf of Essex Packers or the receiver, said was, "In order to get this out of the courts, we'll pay you people off, we'll give you a cash payment. We'll pay you off 100 cents on the dollar on part of what was owed." They got paid too on the rest but to average it all out apparently Frederick and Harrod got paid off 43 cents on the dollar.

**Mr. MacDonald:** The only reason why I'm raising it is if they were under receivership, it seems if you paid one of the creditors 100 cents on the dollar you're in violation of the Bankruptcy Act.

**Hon. W. Newman:** Exactly.

**Mr. R. G. Bennett:** Unless they were secured.

**Mr. MacDonald:** Yes, unless they were secured.

**Mr. Riddell:** It came from pretty good authority that they weren't secured creditors, and this is the reason I brought it up in the House. I asked the Attorney General (Mr. McMurtry) to look into it because I thought it was a very irregular procedure, and he indicated he would and would report back. If that's the case then, boy, there is something awfully shady about this whole deal.

**Hon. W. Newman:** If that is the case I don't know. We are talking about a situation that I am not familiar with, because it comes under another ministry. I made the comments I did at that time, hoping that a firm offer would come in to the Minister of Correctional Services (Mr. J. R. Smith). In fairness to him, I think I should wait—have his estimates come up yet or not? I don't know.

**Mr. MacDonald:** Yes, they are finished.

**Hon. W. Newman:** Are they finished?

**Mr. MacDonald:** But you see, Mr. Minister, I think there is an obligation on you. I admit this is not in your estimates, it is over to him, because I queried him in the House the other day. Since the agreement obligated the DeJonge brothers to keep that plant in operation, his reply to me was that they had kept it in operation for a short time—according to your comment it was a very short time—then they laid them off and tried to negotiate with a buyer and weren't able,

and if they didn't negotiate, if they didn't get a buyer, Hon. Mr. Smith said they were going to open the plant again because the obligation was that they would keep that plant going. Now you are a member of the government—

**Hon. W. Newman:** Right.

**Mr. MacDonald:**—the thing was signed by the government, and that's a packing plant in Hamilton. Packing plants normally come under your direct jurisdiction, but at least it is going to help other farmers as well as the workers who have been laid off. It seems to me that there is some obligation on somebody, and I think you could legitimately share in this, to say, "If that's the agreement, the DeJonge brothers should live up to it." Otherwise they shouldn't have signed it.

**Hon. W. Newman:** We are into a legal situation with Correctional Services. I think I explained my role in the situation when I did tell the farmers that. There was another statement, and I just can't recall it, in Hansard, that some of the farmers did agree. I don't see why they would, but if they did, I don't know and I can't answer that question because I don't know.

**Mr. MacDonald:** The problem there, Mr. Minister, is—and I had it explained to me—I don't think the farmers agreed to it. The creditors involved the workers in the plant and the farmers. The farmers voted against it, but all the other workers, because there was some arrangement that everybody up to \$100 was paid off total and everybody from \$100 to \$500 got \$100, so that all these people thought, well we'll get all of our obligation, all of what we are entitled to or at least a fair proportion of it. I suppose if you got \$100 on \$500 you are getting 20 per cent. That's better than the final settlement, so they were willing to go along with it and the people—forgive me for the vernacular—who got screwed in the whole deal were the farmers.

**Mr. Riddell:** That's right, this is why we're taking such an interest.

**Hon. W. Newman:** Yes, that's right and this is why I set up this special committee to deal with bankruptcy, because we've been trying to get the Bank Act changed for 20 years and have been unable to. That's why we were going this other route, to try to stop this, because it's not the first case. We can go back to FAME and there is somebody else away back when, I've forgotten.



**Mr. R. G. Bennett:** Broadview Poultry.

**Hon. W. Newman:** Broadview Poultry. There was another one too that I can't remember.

**Mr. Riddell:** Coleman's in London, where you people, again with a bit of financial assistance, could have kept that plant operating, as far as I am concerned, but we could not talk the minister of the day into it at that time.

**Hon. W. Newman:** I'm concerned about the farmers who are involved there too, but I don't think I can really honestly answer for the Minister of Correctional Services here today.

**Mr. McKessock:** I had one question, and I don't know whether it involves your milk people or not, but have they got anything to do with milk deliveries in the towns and villages? I had one call from a fellow who delivers milk in one of those small towns. Is that—

**Hon. W. Newman:** Go ahead with your question.

**Mr. McKessock:** It concerns the milk deliveries in some of the small towns. One of the delivery men contacted me and was afraid that they were going to compel him to go to refrigerated trucks for delivery. Does your ministry have anything to do with this, or does this come under Health?

**Hon. W. Newman:** To my knowledge, I think it's all under the health units, under the MOH as far as I know, but somebody could correct me if I am wrong. I believe it does come under the MOH and the various health units of the province.

**Mr. R. G. Bennett:** Yes, anything to do with milk after it arrives at the plant is the responsibility of the Ministry of Health. We do have some input but—

**Mr. MacDonald:** The Nipissing district milk producers have put in a resolution to the Milk Marketing Board asking that one ministry or another should be given the responsibility rather than this divided responsibility. I understand the board approves of that, it's really up to the government to consider that. You are the inspector for milk quality up to what level?

**Mr. R. G. Bennett:** To the plant.

**Mr. MacDonald:** Up to the plant, and beyond that it's Health?

**Mr. McKessock:** This fellow feels that he will be put out of business if they force him to go to refrigerated trucks. He's been delivering milk for years and if, all of a sudden, he can't deliver the way he's been used to, then he is going to be through.

**Mr. R. G. Bennett:** Is this from the plant?

**Mr. McKessock:** House to house.

**Hon. W. Newman:** He's got a delivery service to the house. I don't know anything specifically about that particular one. Do you want to leave it with me?

**Mr. Eaton:** That milk would be getting pretty unsafe by late afternoon on a hot day when it's 90 degrees.

**Mr. McKessock:** They have been doing it for 40 years or so, I guess. I don't know whether it's getting any hotter now than it ever has been or not.

**Mr. Chairman:** Is there any further discussion on farm products marketing? This part is carried.

That leaves the Ontario food market development. Since we are going to have a vote at 5:50, I will leave the chair until 8.

The committee recessed at 5:40 p.m.

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- Eaton, R. G. (Middlesex PC)
- Hodgson, W. (York North PC)
- MacDonald, D. C. (York South NDP)
- McClellan, R. (Bellwoods NDP)
- McKessock, R. (Grey L)
- McNeil, R. K.; Chairman (Elgin PC)
- Miller, G. I. (Haldimand-Norfolk L)
- Newman, B. (Windsor-Walkerville L)
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- Ruston, R. F. (Essex North L)
- Spence, J. P. (Kent-Elgin L)
- Wildman, B. (Algoma NDP)

- Ministry of Agriculture and Food officials taking part:**
- Bennett, R. G., Deputy Minister
  - Burrell, R., Chairman, Farm Products Marketing Board
  - Crown, H. F., Director, Rural Development Branch
  - Lantz, K. E., Assistant Deputy Minister, Production and Rural Development
  - McEwen, Dr. K. A., Chairman, Milk Commission of Ontario



# Legislature of Ontario Debates

**SUPPLY COMMITTEE—1**

**ESTIMATES, MINISTRY OF  
AGRICULTURE AND FOOD**

**OFFICIAL REPORT — DAILY EDITION**

**Third Session of the 30th Parliament**

**Thursday, June 17, 1976**

**Evening Session**

**Speaker: Honourable Russell Daniel Rowe**

**Clerk: Roderick Lewis, QC**

**THE QUEEN'S PRINTER  
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## LEGISLATURE OF ONTARIO

### SUPPLY COMMITTEE

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THURSDAY, JUNE 17, 1976

The committee resumed at 8:07 p.m. in committee room No. 1.

#### ESTIMATES, MINISTRY OF AGRICULTURE AND FOOD (concluded)

**Mr. Chairman:** Is the committee willing to begin without a quorum? Okay.

On vote 1704:

**Mr. Chairman:** Under item 2, agricultural marketing programme, we were going to consider the Ontario food marketing development. Mr. MacDonald.

**Mr. MacDonald:** I want to raise some issues in connection with the Ontario Food Council, which reminds me that I have a minor problem with regard to these estimates. Only when I inquired did I discover the Food Council came under this item, and earlier, only when I inquired with regard to where one might discuss farm machinery, was I told that it should come under administration in the agricultural production programme. I know that no matter how you set up your estimates, somebody is going to complain, but I just thought I would register that complaint. Next time I'll know that machinery comes under the agricultural production programme.

**Hon. W. Newman:** If you want to discuss it with some of our people, we would be glad to set up a meeting for you.

**Mr. MacDonald:** Do you want to provoke me into a two-minute diversion on that issue?

**Hon. W. Newman:** No, no.

**Mr. MacDonald:** You don't? Okay, I'll respect that.

I have two or three points I would like to raise here: the first one is a follow-up to my introductory comments when we got going on these estimates two or three days ago. I am rather puzzled by your fairly total dismissal of my suggestion that this ministry has some responsibility with reference to con-

sumer prices, either in keeping with the prospective new government policy enunciated by John Clement back in 1973—now out of that ministry and into yours—or in keeping with the name, Agriculture and Food, because if "Food" is there for any purpose at all it must be that you are interested in the interests of the consumers as well as the producers of food.

The other thing that intrigues me is that, if I recall correctly, the Food Council was originally set up as a sort of a council, made up of processors, producers, consumers et al, for the purpose of looking into the whole problem of vertical integration in the mid-1960s. At that time, everybody, including your predecessor, Bill Stewart, was disturbed about the threat to the independence of the farmer—the economic enslavement of the farmer, if you want to put it in more brutal terms—because of the development of vertical integration.

The basic point I want to make with you, in the hope that I might persuade you that your ministry has an obligation here, is that vertical integration on the farm front may be a problem, although when you finally got around to making a study, it was generally dismissed as not being a serious problem except in perhaps, one or two areas. That study, which came out about two or three years ago, deemed it to be not a serious enough problem to have merited the cries of havoc that we heard on occasion from Bill Stewart, who in his inimitable way sometimes made some fairly graphic statements about what was happening to farming through vertical integration, with the added component that some of that vertical integration was through foreign interests and not Canadian interests; American and others.

The point I want to make with you is that it seems to me that, insofar as consumers are concerned, the vertical integration problem, in the food industry beyond the farm gate is really beyond denial if one takes a fleeting glance at the whole Weston-Loblaws empire or the Argus-Dominion empire or the growing empire of Steinberg. They are tied in with development companies which are

building plazas and Steinberg gets in and everybody else is squeezed out and so on. It seems to me it is a problem.

If one accepts at least as a premise in a preliminary report—the study—that there is an excessive cost of at least four per cent, which amounts to \$188 million, in the food budget of Ontario in a year it seems to me that surely there is some obligation. I want to suggest quickly to the minister that you are not dealing with the issue to dismiss this by reminding me that you are a free enterprise party and that you are not interested in this kind of intervention.

Quite frankly, that is a silly comment whether it comes from you or the member for Huron-Middlesex (Mr. Riddell). There are so many things done by governments today which are so-called socialist. Half the things your Liberal colleagues and you were raising late this afternoon, which made it rather ironic, were pleas that the government should intervene, to finance a certain company or to buy out the surplus of food or something.

There is a government role in the economy. There is no doubt about that. Governments today in the modern age recognize that they have a role and they play it with varying degrees of intensity depending on the political climate of the time or the ideology of the government. They all do it. When you pass a rent control Act, you are being a socialist if you want to talk that way but it is nonsensical.

When you are a member of a cabinet which has a Minister of Consumer and Commercial Relations, virtually all of whose activities are intervening in the marketplace to regularize or to place restrictions on businesses or to survey them through looking at their advertising or their trade practices and things of that nature; when you are a member of a government which has brought in a Business Practices Act and is clamping down on a kind of practice; when you are a member of a government which has brought in a system to deal with warranties so that shoddy construction people can't pawn off poorly built homes, for God's sake, let's not dismiss this as non-free enterprise and as being socialist. Somebody has an obligation.

It was enunciated by a former colleague of yours, John Clement, that the government had a positive role to play. My query to you is who is going to play that role since Mr. Handleman, your colleague, says all this has now been passed over to the Minister of Agriculture and Food?

**Hon. W. Newman:** You said that the other night under another vote.

**Mr. MacDonald:** Right. It was just as true then as it is now.

**Hon. W. Newman:** I realize that. But I haven't seen Hansard and I have intended to check it to see if he said it. I am not disputing your word at all, of course, but because the Minister of Consumer and Commercial Relations has a certain role to play in the overall—

**Mr. MacDonald:** Do you mean you are questioning what I said about John Clement, his speech, or Handleman?

**Hon. W. Newman:** No. Was this—

**Mr. MacDonald:** It was. In the estimates no more than a month or three weeks ago. It is an interesting reflection on the cabinet—he says that is now your responsibility and you haven't even learned about it.

**Hon. W. Newman:** I will take any responsibility that is mine.

**Mr. MacDonald:** Don't look at me with fire in your eyes.

**Hon. W. Newman:** No, I don't have fire in my eyes. I may have had the other night but not now.

**Mr. MacDonald:** I am not going to argue the thing any further because I have lost confidence. We will do something about it after the next election. I have lost confidence in persuading you to do it because your whole kick is to get out on these issues, particularly in this field. I submit it is regrettable. You are shirking at least a half of your responsibilities because in the Ministry of Agriculture and Food—

**Mr. Lane:** Be reasonable.

**Mr. MacDonald:** Do you want me to say two-thirds?

**Mr. Lane:** I think it would be better put at about one-tenth.

**Mr. MacDonald:** The ministry is called the Ministry of Agriculture and Food. There is five per cent of the people producing the food and 100 per cent of the people eating the food. I don't know how you balance five per cent against 100 per cent. I am willing to say that the five per cent is worth 50 per cent of his obligations.

[8:15]

**Mr. Lane:** I really thought you were a reasonable man. You are not acting reasonably tonight.

**Mr. MacDonald:** That comment, in keeping with the minister's silence, confirms to me that maybe there is not much point in proceeding with this.



**Mr. Lane:** Why don't you bring Mr. Mallen's report in if it means so much to you?

**Mr. MacDonald:** Why do I have to bring it in?

**Mr. Lane:** You referred to it several times, and nobody has seen it.

**Mr. MacDonald:** I'll Xerox a copy and send it to both of you so you can be brought up to date—you in terms of information and he in terms of his obligations.

**Mr. Lane:** Okay. That will be great.

**Mr. MacDonald:** The second point I wanted to raise with you is—

**Hon. W. Newman:** Do you want me to answer the first point or do you want to wait?

**Mr. MacDonald:** Yes. I thought you had.

**Hon. W. Newman:** I thought I did the other night. As I pointed out to you we have the chain stores; we have other stores; we have competition; we have price differentials between the various stores. I don't know where you get your four per cent from. I noticed you used that the other night.

I'll tell you that as far as I am concerned the food business is a highly competitive business in the various stores. I look not at my own area, but at one of your member's areas where there is a highly competitive situation. People shop around for their food and they should have the right of choice of price. I think the free enterprise system has worked very well as far as the market is concerned in these stores.

**Mr. MacDonald:** I invite you to read the Mallen report.

**Hon. W. Newman:** I would like you to do some shopping.

**Mr. MacDonald:** I have done shopping. I go with my wife as often as you will give me time from the Legislature.

**Hon. W. Newman:** You do it better than I do, probably.

**Mr. Eaton:** We will give you full time after the next election.

**Mr. MacDonald:** I invite you to read the Mallen report but when you have read it may I just underline that it is a preliminary report and that is my plea. There is room for continued study, particularly in specific reference to the Province of Ontario; it was a national study. I think there is room for it. Indeed there is room for updating the Janssen-Weijs re-

search report No. 14, done for the special farm income committee.

**Hon. W. Newman:** There is one other thing I would like to clarify which you brought up and that's about the Ontario food market development of the Ontario Food Council. The main reason for setting this up was for market development, which we have been working on, and trade practices. It really wasn't set up to deal with vertical integration as you say—maybe to some small degree—but by and large it is for market development and trade practices. It has been very successful.

**Mr. MacDonald:** Before you ever got into the Legislature—if you will forgive me for making the comment—I invite you to go back and read the statement by Bill Stewart on the setting up of the Food Council. One of its first jobs was to look at—the excuse for setting it up in the first instance was to examine the whole problem of vertical integration. I concede to you it has since got into developing food markets throughout the world and I am not particularly objecting to the things the Food Council is doing.

**Hon. W. Newman:** I see.

**Mr. MacDonald:** It is working along with the Ministry of Industry and Tourism in terms of developing markets throughout the rest of the world. I don't object to the particular work being done by the consumer branch. It is rather a waste of paper, except it informs me as to what they are doing. About every week I get another recipe from the consumer branch as to what I can do with some Ontario product, along with this folder that came out a week or so ago.

**Hon. W. Newman:** We have just started that. That is an innovation to let the members know what we are doing, those who want to be fully informed.

**Mr. MacDonald:** Okay. I'll try to remember to take it home to my wife; she does the cooking. She might be interested in the recipes.

However, let me come back to the food basket. This is really thrashing old straw but I can't understand why you are so precious in your approach and continue to conduct a food basket. Nobody knows where you do the surveying of prices, in what cities or in what stores. Nobody gets any information which might be useful to the shopper in terms of comparing the prices this week as compared with last week or this month as compared with last month; or this city as compared with another city. It is essentially a sort of hole in the wall effort, a sort of half-secret effort.

You publish the aggregate and that is of some interest—is it going up or is it going down—but it is of academic interest. What the shopper is interested in is knowing what are the comparative prices from week to week, store to store, city to city. Then they would have some information which would be of use to them when they were going shopping. For the life of me I can't figure out why you won't give that out.

Hon. W. Newman: May I say—

Mr. MacDonald: Yes.

Hon. W. Newman:—that we do have a food basket? It is picked from—I don't know how many chains are involved, possibly five major chains. It is in the Metropolitan Toronto market.

Mr. MacDonald: Just in Toronto?

Hon. W. Newman: Yes, I think that's all we are doing. It is in Metro Toronto. Let me say this; that if we said what product was bought from what store at what price, can you not imagine the confusion? I think I could imagine it, and I am not a shopper—my wife does all the shopping in my family. But I could just imagine if once a month we said we had bought 127 items at such-and-such a price from a certain store. I think we would lead the public into a massive false loss-leader situation, which you deplore and which I don't really like.

If we refer to Loblaws for 10 items at such-and-such a price, and they are lower than such-and-such another store, don't you realize the kind of problems we would create in loss-leader advertising for the consuming public?

Mr. MacDonald: I will tell you, Mr. Minister, that you would create no problems. The federal Food Prices Review Board, in one of its brief flyers or ventures, went off and did some comparative shopping in certain stores. They named the stores in Hull and/or Ottawa—I have forgotten which it was—but it was in the capital area, and it was fantastic. It was fascinating to watch what happened. Suddenly somebody found out what the comparative food prices were in the various chains, and in the next week when they went back they found out that there were changes. The boys had reacted to it. Their orchestration of prices and their rigging of prices had been altered to some extent and this was of some benefit to them.

Mr. Hodgson: How much did they alter prices?

Mr. MacDonald: How much did they alter? The ones which were high began to drop.

Mr. Hodgson: I know that, but what was the percentage change?

Mr. MacDonald: I am talking about the aggregate—the aggregate of the basket; the collection of items; the total cost per week of whatever they chose to be in their sample food basket. In certain stores it was up that week, and then it came down.

Hon. W. Newman: May I say something to you?

Mr. MacDonald: Yes.

Hon. W. Newman: I have a great deal of faith in the housewives who do their shopping in the Province of Ontario—I really do. Various chains and other stores do a certain amount of advertising, and the housewife—I give her a lot of credit—is going to look and to shop around. She is going to pick up this paper or that paper and look at prices. She is going to compare prices. And apparently on one radio station—I have forgotten now.

An hon. member: On the CBC.

Hon. W. Newman: Yes, they talk about prices.

Mr. MacDonald: Right.

Hon. W. Newman: I have a lot of confidence in the housewives or the working mothers or the people who do the shopping.

Mr. MacDonald: I will bet you believe in God and motherhood too.

Hon. W. Newman: Oh, yes, I certainly do.

Mr. MacDonald: Well, of course.

Hon. W. Newman: Yes, I hope you do too. But I will tell you that I have a great deal of faith that they know where they are going and what they are doing, and certainly are very comparative shoppers.

Now, there are people who say: "Look, I am going shopping today. I am going to this store and I buy what I want and I pay for it." That's their problem. But the alternatives are there as advertised in newspapers and by the media. They are there for them to see and hear.

Mr. MacDonald: But, Mr. Minister, please go back and read your own report, research paper No. 14, from the farm income study. It's quite explicit in saying that the purpose

of advertising is to emphasize your loss leader. To put it in blunt language, it is to sucker in the customer. Once you have got him in—because you have got a loss leader—then you maximize your profits by raising your prices on other things.

The purpose of advertising is not to inform the consumer; the purpose of advertising is to orchestrate the prices and keep them changing so that the consumer is confused and he can never do comparison shopping.

That is in your own research paper, and don't dismiss it. It is accepted by anybody who has done any analysis of supermarket shopping and modern marketing techniques.

Sure, the housewife can take the time if she wants—which brings me to another point. I wonder why, if you have any interest at all—now that Brother Handleman has handed it over to you—in terms of protecting the consumer, why you don't do something about, for example, loss leaders. Your Food Council—and this is one thing I give them credit for—has repeatedly indicated their unhappiness with loss leaders. Why don't you do something about loss leaders?

**Hon. W. Newman:** Are you suggesting that I tell the chain stores and the other stores in this province that they can't undercut somebody else if they want to and give the consumer a particular price on a particular commodity?

**Mr. MacDonald:** In the deliberate use of the loss leader by underpricing the product and by a deliberate losing of money, no store loses money unless they do it with a purpose. Their purpose is to get the consumer in so that, having got them in, they can maximize their profits in other produce. I don't really know this for a fact, but the reason why the Food Council and the Federation of Agriculture and many farm organizations are objecting to loss leaders is that if Loblaw's decides it is going to make turkeys a loss leader who do you suppose takes the rap? Loblaw's? Like hell! The farmers take the rap.

**Hon. W. Newman:** But in turkeys you picked the wrong example. They allocate price and quota.

**Mr. MacDonald:** Who does? The turkeys?

**Hon. W. Newman:** You picked the wrong commodity.

**Mr. MacDonald:** Well, maybe I picked the wrong commodity.

**Mr. Hodgson:** What about the farmer?

**Mr. Chairman:** Order, please.

**Mr. MacDonald:** Brother Hodgson, you came in this afternoon and started asking things about milk. You said you were a dairy farmer and you hadn't a clue as to what the score was on milk this afternoon.

**Mr. Hodgson:** I have more idea than you will ever have.

**Mr. MacDonald:** Don't go around chastising me for not knowing about the situation when your own ignorance was absolutely yawning. You didn't even know the basic facts.

**Mr. Chairman:** Order.

**Mr. MacDonald:** You took 15 minutes to find out what the facts were on the minister with regard to the penalty clause on milk producers in the Province of Ontario at the moment.

**Mr. Hodgson:** That's what you thought.

**Mr. Chairman:** Order, please.

**Mr. MacDonald:** That is not what I thought, I listened to it and it is in the record.

**Mr. Lane:** We're not going to stop loss leaders. It has been going on for 100 years. There have been loss leaders in the stores for the last 100 years. What does this minister have to do with it?

**Mr. MacDonald:** What does this minister have to do with it? He has an Ontario Food Council which is part of this ministry which is constantly deploring loss leaders and doing nothing about it. Agricultural producers are deploring loss leaders because they are the usual persons who lose, except in the instance where they have got quotas and where they can fix their price and the supermarket can't do anything about it. Generally speaking, there is a lot of evidence that the price the farmer gets is dictated by the major buyers and the major buyers are the supermarkets.

**Hon. W. Newman:** There are many factors. Let me tell you one thing about the food basket. I think I should make it very clear to you that the food basket is only intended to be a guideline as to the price index.

**Mr. MacDonald:** It can be more; that's the point. It can be an opportunity, an information to provide the consumer with the ability to do more effective consumer comparison shopping.

**Mr. Eaton:** Once you put the price on it, then they will all know what you are going



to price and they can manipulate the price of that particular product in your food basket. Then it won't be any good at all, won't even give you a true picture.

**Mr. MacDonald:** Mr. Chairman, it is obvious that I am engaged in a futile effort here.

**Hon. W. Newman:** No, not really. I want to be fair. In reality, loss leaders can be a real problem.

**Mr. MacDonald:** They are a real problem, not can be.

**Hon. W. Newman:** Sometimes, yes. They are not always necessarily a problem, but in most cases they are.

**Mr. Riddell:** In my area the shoppers shop for the loss leaders.

**Mr. Lane:** Maybe the hon. member would tell us where they shop.

**Mr. Riddell:** They go from one store to the other and pick up all the bargains.

**Mr. MacDonald:** I have two positive suggestions and then I will give up for the next 10 or 15 minutes anyway.

**Hon. W. Newman:** By the way, we are finished with milk.

**Mr. MacDonald:** The two positive suggestions are these. Has it ever occurred to this ministry or to the Food Council or whatever agency within it that in all of the very good work that is done by the so-called consumer critics, on the CBC, on radio, on TV, on Global TV and Lynn—what's her name, Watson?—

**Mr. R. G. Bennett:** Joan Watson.

**Mr. MacDonald:** —Joan Watson, yes—they are pointing out repeatedly—sometimes three and four times a week—what I think are violations of the law in terms of advertising that is false advertising, practices that are certainly open to question and things of that nature. It occurred to me that all this is rather interesting and useful, but nobody follows through.

I'll be very frank with you. At one point, I wondered whether it was possible to get hold of their scripts regularly so that every time they came up with a practice that was questionable, the next day I would get up in the House and put it to the minister and say, "What are you going to do about it?" But it's a bit too elaborate and I can't spend all of my time in doing that. It would require one researcher doing that all the time. I suggest

that if you are interested in protecting the interests of the consumer, the good work that these people are doing requires a follow-through, either to make them live up to the law as it now exists or, if they are practices which haven't been codified in the law and are questionable, to change the law to eliminate this kind of thing.

[8:30]

**Hon. W. Newman:** False advertising, of course, is already covered by the law and we've had cases in the past in which we've prosecuted as you well know; going back, I guess, as far as it ever involved the ministry there have been some prosecutions. The loss-leader legislation, I'm told, is supposed to be covered in the combines legislation which will apply all across Canada and which would be federal legislation. I have a note on this but I don't know where that legislation is and I don't know that much about it. Loss leaders can be very difficult. I have to say this to you: In the free enterprise system—

**Mr. MacDonald:** What system are you talking about? It went out with—

Interjections.

**Hon. W. Newman:** Let me tell you about that free enterprise system. It built this province and this country. I'll tell you I have a strong belief in a free enterprise system in this province and in this country. Yes, there has to be some government control but as little as possible. I happen to feel that way. I tell you I'm worried when I see what has happened to some of the countries in the world today, if we don't stand up for the free enterprise system.

**Mr. MacDonald:** What sort of claptrap are you giving us?

**Hon. W. Newman:** It's not claptrap. It is fact.

**Mr. MacDonald:** The free enterprise system—the red-blooded, hairy-chested free enterprisers who built this country are the CPR, for example. They got far more money and far more land handed out gratis from the government than the CNR and so on. You can go on all down the line. I don't want to go off on to this. It's impossible to educate you on this issue.

**Hon. W. Newman:** If you want to have a philosophical difference then we have it. I want to make it very clear that we have—

**Mr. MacDonald:** I hope that our philosophies can keep within reasoned distance of the facts.

**Hon. W. Newman:** That's right.

**Mr. MacDonald:** I'm just trying to put a few facts out to see if we can equate them with the philosophy.

**Hon. W. Newman:** So am I.

**Mr. MacDonald:** Okay. It's a futile exercise. Go ahead.

**Hon. W. Newman:** No, it's a nice try. Some of the points you brought up have some merit but I think that, by and large, we've got to have a free marketplace as far as the consumer is concerned. Doggone it, if somebody wants to put out a loss leader and if everyone wants to go and buy it, that's up to them. I'm not saying that I agree with it in many cases because the farmer can be hurt. The particular case you brought up is a very good case in question because they not only set quota but price as well. If the producers allocate quotas and prices the only person who can be a loser there is the person who is trying to sell it to the store.

**Mr. MacDonald:** They never lose, don't kid yourself.

**Mr. McKessock:** We were talking about what responsibilities you have in the marketplace. It appears that you do have or you admit you have some responsibilities because \$2,349,000 has been spent on Ontario food market development. I'd like to know—

**Hon. W. Newman:** That's the total of the total vote. It's \$660,000.

**Mr. McKessock:** It's \$660,000? I'd like to know a bit more about what you have done with that half million or a little better.

**Hon. W. Newman:** Let me give you a rough idea and if you want details I'll be glad to give them to you. We have had trade missions throughout the world, through our Food Council. A big part of it is salary and wages but, by and large we're yielding about 40 to one in dollar sales compared to what we've spent; 40 to 50 to one; I'm taking a rough guess at it. I'd have to ask Doug Williams.

**Mr. Williams:** That's about right.

**Hon. W. Newman:** About right, in dollar sales. Through our Food Council we're developing some very fine export markets for various products throughout the world and this in-

cludes the OPEC countries, the British Isles, the EEC, Japan and other areas. I've got a massive list here if you want me to go over it in detail but I'm sure you don't. It is a very successful situation in which we as a province have been able to build an export market for many of our commodities, which I think is very important. We have the potential to produce in the Province of Ontario and we've got to build export markets.

**Mr. McKessock:** What commodities have you been selling?

**Hon. W. Newman:** Okay, I'll give you details on that. We have the list here. I had a letter today from one of the people on our last trade mission. There's a good example in soya beans. There's a limited market for a specific variety of soya beans which is called Harwood, which fits in very well with the Japanese diet to make—what is it? Tofu. And there's a certain variety of soya beans there's a market for in Japan, which we have developed. There's another situation with the wild rice which you might be very interested in. I personally have had a look at just a very small portion of this move to develop the wild rice market. I think Green Giant or one of the companies is now canning it and its being sold all through the US. That's the wild rice that is bought from our native people. A great market has been developed for this wild rice.

**Mr. G. I. Miller:** Where's it grown?

**Hon. W. Newman:** All up in northern Ontario. It's harvested mainly by our native people and it's bought by various companies. The Shoal Lake Wild Rice Co. has developed a market. There has been some research done through our ministry and it's now canned and sold in the stores here in Ontario, and there's quite a market developing in the US, which will mean that our native people will have a market for the wild rice.

I went to see the wild rice fields one night two years ago and the natives were harvesting it and selling it to Shoal Lake Wild Rice Co. and they've developed quite a market.

**Mr. McKessock:** How many dollars worth of soya beans and wild rice has been sold?

**Mr. Williams:** I think the total sales to Japan have been about close to 100,000 bushels.

**Hon. W. Newman:** That's 100,000 bushels of soya beans to Japan—at what price?

**Mr. Williams:** We're just developing it, and it's a higher price than the going market.

**Hon. W. Newman:** It's higher than the going market. It's just being developed. The wild rice is being developed. We could talk about peanuts, which we're hopefully developing through our research. Of course, it isn't under this particular vote, but white beans—

**Mr. G. I. Miller:** They're good too, I might add. How many peanuts have you sold?

**Hon. W. Newman:** I shouldn't have mentioned peanuts. The Food Council is interested in exploiting them because we haven't developed them here and we're a net importer of peanuts to the tune of about \$40 million a year. We're hoping we can capture half the market for our Ontario producers in the future. Right now we're yielding about 1,500 lb to the acre, but with the harvesting equipment we think we can have in place we can get up to one ton per acre which will make it worthwhile.

**Mr. Wildman:** If Carter becomes President, he'll try and cut that down.

**Hon. W. Newman:** Who?

**Mr. Wildman:** Carter. Jimmy Carter.

**Mr. Riddell:** Did you mention white beans?

**Hon. W. Newman:** Yes. Sold in 30 countries of the world.

**Mr. Riddell:** How many bushels of white beans?

**Hon. W. Newman:** I don't know.

**Mr. Eaton:** About 780,000 bags a year and sometimes close to a million. About 65 to 70 per cent of our white bean crop.

**Mr. Riddell:** Was the Food Council instrumental in establishing these markets or was it the bean board itself, or did you work together on it?

**Mr. R. G. Bennett:** We worked together on it.

**Mr. Eaton:** We ourselves were selling into one or two countries when the first trade missions started with the bean board. Now we're selling into 30.

**Hon. W. Newman:** We've got examples down in the Caribbean and other countries of the world where we have a tremendous market—I don't know if the Food Council is

directly involved with the selling—in Holstein cattle. I don't know, but certainly there's been a big market.

**Mr. Riddell:** With that good a market, why are they talking about \$13 beans this year?

**Hon. W. Newman:** Well, they were talking about the grade four beans.

**Mr. Eaton:** The exports are all top quality.

**Hon. W. Newman:** No, no, but you were talking about \$13 beans.

**Mr. Riddell:** Yes, the farmers are talking about \$13 beans this year. They're lucky if they're going to get \$13. If we've got that kind of a market, why has the price gone down to that extent?

**Mr. Eaton:** They're going to average higher than that, Jack.

**Hon. W. Newman:** Much higher.

**Mr. Eaton:** Their average sales are around \$18 or \$19.

**Hon. W. Newman:** The beans that CIDA—the Canadian International Development Agency—is buying, they're paying \$13—is it \$113 a hundred for those beans?—because they're split. They're still as good to eat.

They still have as high a protein value, but they are not as good for our domestic market. CIDA buys a fair number of these beans. We also made a donation of them recently through the province, as you know; I think we made a donation two years ago. They are very high in protein. Quite an export market has developed for the full bean—not the split one.

**Mr. Eaton:** The sweet corn one we were talking about earlier is a very interesting one too. The Food Council opened that market up completely, because when they were trying to sell it at first, it was pretty well looked on as grain. The sweet corn market we have developed in England has resulted from the efforts of the Food Council.

**Mr. Riddell:** How do you get it over there?

**Mr. Eaton:** It goes in containers.

**Hon. W. Newman:** Could I explain that the efforts of the Food Council in 1974—we don't have any 1975 figures available yet—resulted in Ontario agricultural food exports in 1974 valued at \$453 million, with \$265 million to the United States, \$111 million to the United Kingdom, \$19 million to the European Economic Community, \$21 million to the Caribbean, and \$8 million to Japan.



**Mr. Riddell:** Total sales of \$453 million?

**Hon. W. Newman:** Total export sales of \$453 million.

**Mr. Eaton:** A lot of tobacco goes over to England.

**Mr. G. I. Miller:** The thing about tobacco too is that it's the biggest market; it's a very good crop.

**Mr. R. G. Bennett:** They export to about 39 countries of the world.

**Mr. G. I. Miller:** How much do we import? Have we got a comparison?

**Hon. W. Newman:** Agricultural products from outside of Canada?

**Mr. G. I. Miller:** Yes—just for Ontario. Have you got it broken down for Ontario?

**Hon. W. Newman:** I don't have a breakdown right here, no. But, for instance, we do import into Ontario a tremendous amount of citrus fruits and off-season products. Unfortunately, we also import some dressed beef, which is coming into Ontario at a tariff rate of three cents a pound; if we want to export the same kind of beef, we have to pay 10 per cent or as high as 30 cents a pound. I don't know whether we can give you figures for total imports into Ontario of agricultural products from out of Canada, but we've a—

**Mr. Eaton:** Some of it comes into places like Montreal and you don't know where it's going; it could be going west as well as here.

**Hon. W. Newman:** You might be very interested in the fact that we have a very interesting programme dealing with import replacement and product development. We are trying to develop markets here for products that we import, such as baby carrots, cocktail onions and peanuts; it may not sound like a great deal but, for instance, these cocktail onions are a \$2-million-a-year import business, which we feel we can produce here. We are working on it, and we've done some research.

**Mr. R. G. Bennett:** We are up to 200 tons now.

**Mr. Riddell:** Where do they come from?

**Mr. R. G. Bennett:** They come from Holland originally; now we are developing it with the Thedford Co-operative, who are growing their own.

**Hon. W. Newman:** We were up to 200 tons in 1975.

**Mr. Riddell:** That's your riding, Jim. Didn't you know they were growing them there?

**An hon. member:** That's not my riding.

**Mr. Riddell:** Oh, that's in the great Lorne Henderson's riding.

**Hon. W. Newman:** We could talk about baby carrots, which we have imported—they're worth about \$1.5 million, which is not a lot, but it all adds up—which we are developing here.

**Mr. Riddell:** For what purpose?

**Hon. W. Newman:** What do we use baby carrots for?

**Mr. R. G. Bennett:** In most of the institutional trade, including restaurants, the type of carrots you get are the small carrots; in the past most of these have been imported, and we are trying now to replace these with some of our traditional carrots and capture this market here, rather than have them imported. The problem is with the length of our growing season. The same is true of the silverskin onions; we can grow silverskin onions except that they get too large. The thing is to retard them from growing to make them the right size. It takes quite a bit of research.

**Mr. Riddell:** Where do you import these carrots from?

**Mr. R. G. Bennett:** Great Britain and Belgium.

[8:45]

**Hon. W. Newman:** Peanuts come in mainly from the United States, I think. There is a lot of wild rice being domestically harvested in the US. In order to keep on top of it here the Shoal Lake Wild Rice product is being accepted. It's all wild rice, but because of the promotional work of the Food Council we are able to develop and are developing an export market for it.

We have a complete report on the imports. If you would like it, we would be glad to send it to you. Who would like it?

**Mr. Chairman:** Mr. Miller.

**Hon. W. Newman:** Mr. Miller would like a copy of that. Would you make a note and send Mr. Miller a copy of our imports report?

**Mr. MacDonald:** Where are we introducing the production of peanuts in Ontario; what areas is it emerging in?

**Hon. W. Newman:** In the tobacco area. The tobacco market, as you well know, can be a little tricky. If they grow a ton of peanuts to the acre, it can serve as a good replacement for tobacco. The problem is at this point in time they grow corn or rye or various products. It is being developed now and it is only in its infancy. It really hasn't been fully developed, but we are convinced about its future. I understand that your leader has had some of them, I know I have had some and I am sure many of you have had them.

**Mr. G. I. Miller:** They are good. They are just as good as the imported. One of the people at the research station had some and they were really good.

**Hon. W. Newman:** I think eventually we could develop a good market on that.

**Mr. Chairman:** Mr. Wildman, followed by Mr. Riddell.

**Mr. McKessock:** I have got one more question on the \$99,000 spent on transfer payments for market development. What is that spent on?

**Mr. R. G. Bennett:** There are various committees—for instance, the Tomato Products Council—which are small sub-promotional groups on their own, to which we give support. They are supported by the industry as well. There is an organization which is national in scope and has been very active during this present month, which we designate as Salad Month. This is what we call the Fresh for Flavour Foundation. They actually do a lot of promoting of various green vegetable crops that are native-grown.

All the provincial governments in Canada, plus the federal government, the trade, the growers and so on put money into this. There are a number of these. There is one on fresh fruits from the Niagara Peninsula in promotion. The Turnip Council is another group here, and the Ontario Grain Corn Council, which has been set up to represent the corn industry, comes under this general group.

**Hon. W. Newman:** The Fresh for Flavour group develop each month, or for two months, certain products on a Canadian-wide basis but by and large in Ontario. For instance, in the winter months before our greenhouse products come on the market, they will promote citrus fruits for a month but by and large they will take greenhouse crops or salad crops. I think in September or October they use apples as a promotion. They promote.

It's a national programme. They get \$5,000 a year from us and they raise a lot of money from the processors and individuals. They have a total budget of \$200,000 or \$300,000. We contribute to that programme. They do special promotions in conjunction with various organizations.

**Mr. Wildman:** I just have a couple of short comments and then a couple of short questions. I want to hark back to the excellent presentation of Mr. MacDonald—

**Mr. Lane:** Let's forget that.

**Mr. Hodgson:** Which one are you talking about?

**Mr. Chairman:** Order, please.

**Mr. Wildman:**—which got lost a little bit in the rhetoric of the exchange between various members of the committee, such as the comment that loss leaders have been here for 100 years, will be for the next 50 years and will always be here. I don't know that really contributed to the discussion. I am just wondering what your feelings are about the very use of loss leaders and also the vertical integration of the market by corporations such as Argus-Dominion and Weston-Loblaw's and so on and the concentration of control of the market among four or five very large conglomerates. I wonder, for those of you who are so concerned with free enterprise, whether that really doesn't cut down on freedom? Perhaps you would have far more freedom of choice if you were talking about a less vertically integrated and a less concentrated form of marketing—if you had more and more competition. If you really believe in free enterprise perhaps what we should be doing is looking at breaking up the control of the market by the large conglomerates.

**Hon. W. Newman:** My only comment is this: You say you are absolutely opposed to loss leaders; you think they are wrong and I think in many cases they are. By the same token, you have the major chains, other chains and the wholesale places which are in a fiercely competitive situation. That's one of the things about our system in this province—there is a competitive situation. Each day, I am quite sure, Loblaw's checks Dominion's prices and Dominion checks Loblaw's prices and there is tremendous competition for the consumer dollar.

**Mr. Wildman:** I don't think we have to go over it all again but it seems that when you are talking about competition you are talk-

ing about a phony competition if you look at the choice the shopper has when he or she goes to the supermarket.

You take Loblaw's and you look at four products, four types of baked bread, for instance. They are baked by different Weston subsidiaries; surely that is not really free enterprise. That's not freedom of choice. No matter which type of bread they buy, the same group, indirectly, is getting the same return.

Anyway, having said that, I am wondering why your food basket concentrates on the Metro Toronto area. There are certain other areas of the province which suffer from lack of competition. I know in Sault Ste. Marie a recent study showed, for instance, that the two dairies which are supposedly competing with one another are owned by the same company. They have two types of milk, supposedly, and you can choose whichever one you want in Sault Ste. Marie but the same American corporation owns both of the dairies.

I don't know whether that is real competition in free enterprise. At any rate a recent study—a federal study, I believe—showed that Sault Ste. Marie has probably the highest or close to the highest consumer prices for milk in the province. I wonder why you don't expand the study of food prices for the consumer outside Metro.

**Hon. W. Newman:** One thing is money. The second thing is I believe the feds do a fair amount of work in other cities.

**Mr. Wildman:** Yes, that's what I am referring to, the federal study.

**Hon. W. Newman:** Okay. They do some work and we don't believe in duplication. In the Soo, you said there were two dairies owned by the same company. They have to buy all their milk through the Milk Marketing Board at a certain price.

**Mr. Wildman:** Sure, that's right.

**Hon. W. Newman:** I don't know exactly what milk sells for in the Soo—I couldn't tell you specifically—but they have to buy their milk from the board. There must be enough stores buying the milk that despite the differential in price they would be able to bargain with the dairy. If you say the prices are excessive—I don't know what they are—maybe you would like to tell me what they are compared to what they are in Toronto. I don't know.

**Mr. Wildman:** The study is two or three years old now but at the time they said they were four or five cents above what they were in other parts of Ontario.

**Hon. W. Newman:** Per quart or per jug?

**Mr. Wildman:** Per jug.

**Hon. W. Newman:** Per three-quart jug?

**Mr. Wildman:** Yes.

**Mr. Eaton:** You get that difference between two stores right here in Toronto.

**Mr. Wildman:** The result of the study was they felt that if the two dairies weren't owned by Beatrice Foods perhaps we would not have the same situation. At any rate, I throw that out for your thought—if you do ever want to expand the scope of the Food Council there are other areas where there are problems with competition and if you believe in competition perhaps we should be looking at ways to increase it.

**Hon. W. Newman:** Did you say problems of competition?

**Mr. Wildman:** I'm sure you would agree, since you invited the argument for competition, that when you have two companies owned by the same corporation that you have problems in producing real competition. If you want to believe in competition and producing competition, then perhaps we should be looking at ways of doing it. That's all.

**Mr. Riddell:** Mr. Minister, you've been a little negligent in introducing your staff as they come up from time to time to answer our questions.

**Hon. W. Newman:** I'm sorry about that.

**Mr. Riddell:** Who is the gentleman answering questions?

**Hon. W. Newman:** Mr. Doug. Williams is head of the Ontario Food Council. Dr. Rennie —

**Mr. Riddell:** I know Dr. Rennie. It is Doug Williams and Ken Lantz. This other gentleman —

**Hon. W. Newman:** Roland Sewell, Gordon Bennett, Ron McNeil and myself. My name is Bill Newman. I'm sorry about that; I should have done that and I apologize.

**Mr. Riddell:** We kind of want to know who we're going to be working with when we form the government later this year or next year.



Interjections.

**Mr. Chairman:** Order, please.

**Hon. W. Newman:** It sure is nice to dream, isn't it?

**Mr. Riddell:** No, I'm not dreaming. Mr. MacDonald indicated that the initial purpose of establishing the Food Council was to examine problems of vertical integration. Now, what has the Food Council done and what is it doing to control vertical integration?

**Hon. W. Newman:** To control vertical integration? I think the Food Council was really not intended to deal with vertical integration. Now, it goes back before my time—but the Food Council, seriously, does promotion of food. Special promotions are put on at certain times with the chain stores. They'll have meetings with them; they'll set up special posters; they'll get the chain stores to co-operate.

For instance, we may have a surplus of peaches and they'll move into the chain stores and other groups and say, "Let's co-operate on this project for a month to see if we can't move some of these peaches out." "Let's see if we can't move some of these Canadian apples out."

That's part of their job. And part of their job, of course, is to travel around and promote Ontario products—not only outside of Ontario and Canada but throughout the world.

Do you want me to list all the things they do?

**Mr. Riddell:** No, but getting back to my question. If the former minister was concerned about vertically integrated operations—and I trust he's talking about meat companies putting pigs out with farmers and things of this nature—is there as much of that being done now as there was a few years ago? And did the government curtail some of these operations?

If what Mr. MacDonald said is true, that the original purpose of the Food Council was to look into the problem of vertical integration, was there anything done about vertical integration and is there anything being done about it?

**Hon. W. Newman:** Let me talk about the Food Council first, and we'll come back to vertical integration. I'll read this to you.

The Ontario Food Council's purpose is to encourage the most efficient form of food production, processing and distribution, consistent with fair returns on invest-

ment and in the best interest of consumers. This philosophy must also be consistent with the ability to produce food and to be as self-sufficient as possible in order to maintain and expand the agricultural food products industry.

Now that I've told you that, I'll talk about vertical integration.

**Mr. McKessock:** You didn't say too much about the farmer in that statement.

**Hon. W. Newman:** Well, it goes on. Do you want me to read the rest of it, too?

**Mr. McKessock:** If it says anything about the farmers.

**Hon. W. Newman:** Yes it does. Their idea, as I just finished saying, is to promote certain commodities. We get accused sometimes for being too farm-oriented. We tried to move apples, and we did. We had a promotional programme with apples. We may work on cherries if there's a surplus of cherries, or other commodities. They work to try and move these products. It's amazing how they help the consumer and bring it to their attention so they buy these products.

I think a very good example you've mentioned is the vertical integration in the hog business. I may be on dangerous grounds here because I'm only speaking from personal experience, but I think the farmers themselves did a great job of scrapping that.

**Mr. Riddell:** I agree; I don't think the Food Council had anything to do with it. And I was surprised when I heard that this was their original intent. But I guess, again, a case of where the NDP have kind of misled us a wee bit.

**Hon. W. Newman:** The Food Council's original intent was market development; and it goes back before I was in the Legislature. I'm told that it was to develop markets just exactly as I said.

**Mr. Riddell:** I think the Food Council is doing a good job, but I was surprised to hear that they were so deeply involved in vertical integration. That's all I have to say right now.

**Mr. Chairman:** Any further discussion on Ontario food marketing development? Carried?

[9:00]

**Mr. G. I. Miller:** Just a minute now; hold it. I wanted to point out that I was down to a 100th anniversary birthday party on Sunday. This old chap was as spry and mentally alert as anybody you would ever see. I noticed on the birthday table they had a

couple of boxes of cigars and he was smoking one. It points out pretty well that maybe smoking is not all as bad as it is made out to be. I think it may bring a lot of contentment. It's probably other things that shorten a person's life, like over-indulging in food and things like that. I think the gentleman's name was Mr. Brooss. He's been in the Dunville area for many years.

**Mr. Chairman:** Order please.

**Mr. G. I. Miller:** But getting back, I wonder in the Ontario food market development vote, where did the money come from last year to buy the grapes off the market? Is any of this money used to take off surplus products?

**Hon. W. Newman:** No. There was a special programme set up.

**Mr. G. I. Miller:** Do you not think it's worthwhile, when we consider that there's probably \$453 million worth of products sold, if that was encouraged, maybe that could be developed further? When we have surplus milk products or storage of surplus products, maybe this is where the money should come from, under the direction of this ministry.

**Hon. W. Newman:** Let's talk about grapes first. Maybe I didn't make it quite clear that we guaranteed the grape board's loans at the bank to take the surplus off the market and the grape board deals strictly with an Ontario product. We pay the storage charges. But in the tobacco end of it you have a fair amount of overseas market for tobacco.

**Mr. G. I. Miller:** You did the same thing in tobacco in 1963?

**Mr. R. G. Bennett:** That's what helped develop the foreign markets.

**Mr. G. I. Miller:** That's great. I think we should encourage it. It is the job of the Agriculture ministry to develop grapes. If this doesn't do it, I don't know where else we're going to get the incentive.

That brings up another point when we were discussing the tobacco situation. Under the poundage control, they're concerned too that they can grow all the tobacco they want under this present system. It is a concern to some of the producers. I realize this is a new programme. I'm not going to get involved in it as a politician because we have patterned our marketing boards after the tobacco marketing board. I think it's been a great board and has set an example for many boards that have been established in Ontario

and perhaps around the world. I still think that the Ontario food marketing development maybe is the area that should be selling our surplus products. Maybe it should be encouraged a little more. When you really look at a budget of \$660,000, that's perhaps one-tenth of one per cent of all of our exports. I don't know. It's certainly not a very big factor when you consider the total overall export budget.

**Hon. W. Newman:** I just want to make a comment. I've met with some of the tobacco growers. As you well know, I was down in your part of the area not too long ago. Some of them didn't like the poundage situation and some did. It was thrown open to a free vote.

**Mr. G. I. Miller:** That's understandable.

**Hon. W. Newman:** The vote was done through the tobacco marketing board. The vote was fairly decisive on what route they wanted to go. I realize that maybe it's an unfair situation, but it's only on a one-year trial basis to see how it works.

Do you not think that the growers on their vote had the right to do what they wanted to do? What I'm saying to you is don't you agree that we must go along with the board which is elected by the growers?

**Mr. G. I. Miller:** It's a democratic system and I certainly agree. I wouldn't want to interfere. I know there is concern that it is perhaps favouring the low producer and taking away from the good producer. It does take a little bit away from the democratic system where you are encouraging more and better production. That is the feedback that I got but, again, I do hope it works to the best advantage of the most producers. I really do.

**Hon. W. Newman:** So do I. There were votes for and against it.

**Mr. G. I. Miller:** As long as the argument is fair and democratic, I can't argue on that basis.

**Mr. McKessock:** Mr. Chairman, there is some research done I understand on the—

**Mr. Chairman:** Is that on the next vote?

**Mr. McKessock:** The next vote.

**Mr. Chairman:** Is there any further discussion on this Ontario food market development? Item 2 carried.

Item 3, quality control of agricultural products. Do you want to discuss that in three parts? Farm products inspection is the first; then milk

industry, regulatory; then veterinary services, regulatory. Is there any discussion on this item? Carried?

**Mr. Riddell:** Wait a minute. Are we doing all three together?

**Mr. Chairman:** Do you want to do them together or do you want to do them separately?

**Mr. Riddell:** Under that amendment to the Community Sales Act that we dealt with the other day—

**Mr. R. G. Bennett:** That'll come under veterinaries.

**Mr. Riddell:** Yes. The veterinarian can appoint a technician to go into a sales barn to inspect the premises and the livestock.

Am I to assume that the inspector has—

**Hon. Mr. Newman:** This is Ken McDermid, head of our veterinary services branch, I am sorry.

**Mr. Riddell:** Does the inspector have a fairly thorough knowledge of the diseases which affect livestock to the extent that he or she can go into a sales barn and be able to tell whether an animal in there has blue tongue? Certainly you can tell rhinitis in most cases but some of the diseases are a little more difficult to detect although a veterinarian maybe could pick them out. Can this inspector do this?

**Hon. W. Newman:** The technicians have to be approved by the ministry and trained to do it. They have to take a course at which they are trained to do it.

**Mr. Riddell:** They are not veterinarians, are they?

**Hon. W. Newman:** No, they are not veterinarians. If they are suspicious at all, of any particular matter, they can hold an animal. They can hold an animal—a hog or whatever it may be—and the vet can be called in to deal with that particular matter if there is any dispute at all.

**Mr. Riddell:** Why was this change made?

**Hon. W. Newman:** The idea was that although most community sales are well-run and well-operated there are a few which are not. I wouldn't want to mention one that is close to my home. The vet comes in in the morning; the livestock comes in to be sold and it is supposed to be in by a certain time. In most sales they are. After that, if some livestock comes in the technician can pass it along and the sale can go on so it doesn't hold up the sale. The vet comes

and he leaves at 9 o'clock because he has a call to go elsewhere and so on and he has a technician there I don't care how well run some sales are, there are some sales at which livestock is brought in after the deadline—

**Mr. Riddell:** At all the sales.

**Hon. W. Newman:** Well, I don't know all the sales. I have been to some of them. This technician can be on hand to check this livestock as it comes in, he runs a check on the truck. If there is any doubt in the technician's mind, the technician cannot demand that the animal be destroyed; it has to be done by the veterinarian. By and large, they have to be qualified persons properly trained to do it.

**Mr. McKessock:** So it was to free the time of the veterinarian?

**Hon. W. Newman:** By and large. The technician has the authority to say, "These calves are going to be held."

**Mr. Riddell:** It will provide employment, I suppose, for some of our graduates from the great Ontario Colleges of Applied Arts and Technology.

**Hon. W. Newman:** We have some very capable students who have graduated from those. It's not necessarily to provide employment—I think it is to free the veterinarian's time to some degree that he have these technicians who will be trained.

**Mr. Riddell:** What kind of a control programme is there for brucellosis? I know that when cows come into a community sale they are generally tagged and their blood is tested when they go to the plant but what about cows going back to the country? Is there a quick test for brucellosis?

**Hon. W. Newman:** Yes. It is called the ring test, I believe. I don't know that much about it.

**Dr. McDermid:** The rapid card test.

**Mr. Riddell:** The rapid card test.

**Hon. Mr. Newman:** I can't explain it in detail but there is a very quick test they can do.

**Mr. Riddell:** They can do or they are required to do?

**Dr. McDermid:** The federal health of animals branch is now testing cows at most community sales in the province. Certainly at most sales where any number of cows are being sold they are using the rapid test, which can be done within a matter of 20



minutes. In other words, the status of the animal brucellosis-wise is known prior to its sale. Of course, if it is positive, it is naturally sold as a reactor animal and must be directed to a federally inspected plant.

**Mr. Riddell:** When did you start this rapid card test then?

**Dr. McDermid:** It was introduced in the past year. At a few of the sales blood samples are being taken and submitted to the laboratory for the tube test. In those cases, the animal is sold without status known at that particular time. However, if it is found to be positive on the test conducted at the laboratory then there is the follow-up on the farm.

**Mr. Riddell:** Is this just a periodic test, or does every cow going through a sales barn undergo this rapid card test?

**Dr. McDermid:** Certainly at the majority of the sales the rapid card test is being done. At some of the sales it is the tube test in which a sample of blood is taken and it has to go to the laboratory. There may be a few sales where testing is not being done, but these are sales where virtually no cows are being sold. But at those sales, back tags will be applied and blood is taken from those cows if they go to a slaughtering plant.

**Mr. Riddell:** So, now that the vet doesn't have to be present at these sales, the technician can draw the blood?

**Dr. McDermid:** No, the federal health and animals branch has technicians located at these sales to take the blood.

**Mr. Riddell:** Oh, I see, and this has taken place within the last year?

**Dr. McDermid:** Well, it started longer than a year ago but they have expanded since the increase in the incidence of brucellosis in the province. They have tightened up their procedures, they have expanded their testing programme and this has led to the expanded testing at community sales.

**Mr. Riddell:** This was no doubt brought about because the incidence of brucellosis was on the increase. Is that being brought under control, or just where do we stand now?

**Hon. Wm. Newman:** Well, there are two schools of thought on brucellosis, and I am sure you are aware of that. We have always, to some degree said, "Yes, eradicate, go the health of animals branch," the federal route, but we have very clearly said that there should be proper compensation. They may

go into a herd of 30 cows and find 15 reactors, which means that that person loses 15 cows. He will be compensated for the cows—and maybe not enough; I am not going to argue that point—but the big problem is that if they have a quota and they lose half of their herd, then there should be some sort of compensation to carry them through until they can get replacement cattle in there because their whole herd is under quarantine for 90 days.

**Dr. McDermid:** Well, 120. There is a test at the end of 30 days and then a further test at the end of 90 days, so it is a total of 120 days before the herd is released.

**Hon. W. Newman:** The incidence of brucellosis is much higher because the federal programme says eradicate, but we went on the assumption for a long time, and maybe rightly so, that vaccination and eradication was the route to go. Only time is really going to tell. If the health of animals branch, the federal people, say that they feel that they can eradicate brucellosis—which helps the export market, by the way—with test and slaughter and pay proper compensation then I guess only time will tell us whether their route is right or not. We always used to go, as you know, by vaccination to protect them.

The incidence of brucellosis, of course, is on the increase, very much on the increase, but the federal health of animals people feel that in time they can eradicate brucellosis completely from our country and therefore will allow free export and a free export trade. In the meantime some of the farmers were having it very difficult because of the testing. I don't know how many herds are under quarantine right now.

[9:15]

**Dr. McDermid:** There are 746.

**Hon. W. Newman:** There are 746 herds in the Province of Ontario under quarantine at this point in time. We are watching it very carefully. The federal health of animals branch is convinced that it can eradicate it. We always used to go on the assumption of vaccination as the safest route to go, I suppose, but it is a matter of opinion at this point in time. We are satisfied as long as proper compensation is paid under the health of animals branch. I understand there are new regulations to be drawn, but I don't think they have come in yet.

**Dr. McDermid:** No, not the ones on compensation.

**Hon. W. Newman:** The new regulations on compensation have not come in from the federal people as yet. It is a matter of opinion of which route you want to go. I have said to the federal people many times that if they are absolutely convinced and prepared to pay proper compensation then we are prepared to go along with their route. We do realize that it can create some very serious hardships for some of our farmers in this province if they happen to get into a situation where they have got 30-day tests and the 60-day waiting period. Their herds are under quarantine for so long that it is very difficult for them.

I wasn't going to be facetious about the market share quota but, if they are in the fluid pool, they could actually lose some of their base. I think some of these things have to be looked at in more depth and also compensation given for loss of income because of the route the feds are taking. I am not prepared to say it is a wrong route to take; if it will work, that is great. They make some guesses. I don't want to pin them down at all but hopefully they are saying that in seven to 10 years they think that brucellosis will be eradicated. Only time will tell. It is estimated somewhere between seven and 10 years or is it more?

**Dr. McDermid:** It is hoped that they can do it in less time than that; it is certainly their goal to do it in less time.

**Hon. W. Newman:** It is a kind of wait-and-see attitude. If it doesn't work, I guess we can go back probably to vaccination, I don't know.

**Mr. McKessock:** I have another question on that. How do you determine whether you take the blood sample or the rapid test at the sales?

**Dr. McDermid:** This relates to volume, the number of cows being handled at a particular sale. At sales in the province handling a large number of cows they are using the rapid test. At sales handling fewer number, bloods are being taken and submitted to the laboratory. As I indicated, there are few which handle very few cows and in those cases the sale operator is paid a small amount to apply tags to all susceptible animals, all cows and bulls. If these animals go to slaughter, blood samples are taken at the plant.

**Mr. McKessock:** Who pays the technician at the sales?

**Hon. W. Newman:** If it is health of animals, the feds pay. If it is our technician or a veterinarian then we pay.

**Mr. McKessock:** And for the sale inspection too?

**Hon. W. Newman:** We charge the sale people.

**Mr. R. G. Bennett:** You shouldn't confuse the brucellosis testing with the inspection of community sales under the Live Stock Community Sales Act. We pay for it under the Live Stock Community Sales Act as the inspection of animals comes in. If there are reportable diseases such as brucellosis or any other reportable disease that is subject to the Animal Health Protection Act, the federal veterinarians will be there and it is their responsibility. It is completely separate from our function.

**Mr. McKessock:** There is no charge to the community sale?

**Mr. R. G. Bennett:** No, I explained that.

**Mr. G. I. Miller:** How many employees are there under this system?

**Mr. R. G. Bennett:** Ours are all casual appointments and that's the only work, in the sale day in that particular community.

**Dr. McDermid:** We have 70 sales licensed at the moment and we have a veterinarian employed for each sale. We have a full-time supervisor, a veterinarian who supervises community sales across the province.

**Mr. G. I. Miller:** In other words, this is not a political appointment then?

**Hon. W. Newman:** I will tell you it is hard enough to get the vets to do it.

**Mr. MacDonald:** Even if they are Liberal.

**Hon. W. Newman:** There are no NDPers.

**Mr. MacDonald:** You are wrong.

**Mr. Chairman:** Shall item 3 carry? Carried.

Vote 1704 agreed to.

On vote 1705:

**Hon. W. Newman:** Mr. Chairman, may I make some comments?

**Mr. McKessock:** Let him make a comment.

**Hon. W. Newman:** I have just been handed an article from today's Toronto Star. It

says a store was fined \$7,500 for misleading sale ads. It also says the Consumer and Commercial Relations Ministry's bulletin on misleading advertising in the last three months of this year has reported convictions in 20 cases with fines totalling \$19,810.

Maybe you'd like to have a look at that, would you?

**Mr. MacDonald:** That isn't in your portfolio.

**Mr. Chairman:** Vote 1705, item 1. Is there any discussion on item 1, administration?

Item 1 carried. Item 2 is education.

**Mr. McKessock:** Under Education there is \$92,000 for transportation and communications. What do you spend that on?

**Hon. W. Newman:** At our agricultural colleges and at the University of Guelph a lot of our research stations are a few miles away and a lot of the farms we use for research purposes are a few miles away. So there are fairly heavy transportation costs because they have to have certain vehicles to move students and staff back and forth from these research areas. There is also the telephone service under communications.

**Mr. McKessock:** And are there government cars for the staff?

**Hon. W. Newman:** They are mainly trucks, but I guess there are the few odd cars.

**Mr. R. G. Bennett:** And the odd station wagon so we can get more people in them. There are about one or two vehicles per college, I think.

**Mr. McKessock:** And how many colleges are involved here?

**Mr. R. G. Bennett:** Four. There's four, plus dollars to fund a diploma course of the University of Guelph. It's not included as one of the four, but there is also a course there under the University of Guelph which we fund under contract.

**Mr. McKessock:** Are we taking these item by item?

**Mr. Chairman:** Yes, we are on item 2, education.

**Mr. Riddell:** Are there always employment opportunities for the diploma grads from the colleges?

**Hon. W. Newman:** We found this year that at one of the colleges, Centralia, 75 per cent of our students either went back to the home farm or went into farming.

**Mr. Riddell:** What per cent would be going back to farms, say from Guelph?

**Hon. W. Newman:** On the two-year course?

**Mr. Riddell:** Yes.

**Hon. W. Newman:** On an overall average, somewhere around 50 to 55 per cent.

**Mr. Riddell:** And what percentage of the degree grads?

**Hon. W. Newman:** On the four-year course, 23 to 25 per cent went back to farming.

**Mr. McKessock:** Is that last year's figure?

**Hon. W. Newman:** They just graduated there recently, so he wouldn't have all the figures.

**Mr. McKessock:** Do you have follow-up on these, say two, three, four years after they return to the farm to find out if they are still there?

**Hon. W. Newman:** The odd fool gets into politics, like two of us here.

**Mr. McKessock:** Is there any follow-up on that?

**Mr. Riddell:** There may be three of us.

**Hon. W. Newman:** I'm sorry; my apologies. I was only being facetious when I said that and I hope the record shows that.

**Dr. Rennie:** Mr. Minister, the follow up on that is not done routinely. The University of Guelph this summer is launching a fairly extensive follow up on agricultural grads over the last 25 years. They are going to do it by time periods to determine what shifts have, in fact, taken place from the time they graduated and the initial employment they took upon graduation. But it is not done routinely in any of our institutions.

**Mr. McKessock:** But it is going to be done this year.

**Dr. Rennie:** Yes.

**Hon. W. Newman:** We are very pleased with the number of graduates that are going back into agriculture. We've heard that all the young people are leaving the farms, but we are



getting many going back and we are very pleased about the tremendous—

**Mr. McKessock:** That's why I'd like to have a follow-up to see if they actually stay there.

**Mr. Wildman:** Can you tell us approximately how many students are enrolled in agricultural programmes?

**Hon. W. Newman:** I believe 1,143 is correct, is it not?

**Dr. Rennie:** This past year.

**Mr. Wildman:** How many at New Liskeard?

**Dr. Rennie:** That's 52.

**Mr. Wildman:** That figure across the province, how does that compare with other years? Is it going up; is it steady?

**Hon. W. Newman:** It is going up and the problem is—and I'll be quite honest with you—come this fall we are going to be packed to the point where I don't think we'll be able to take them all.

**Mr. Wildman:** Is that true in New Liskeard as well as in the other areas?

**Dr. Rennie:** Yes, I have the figures as of Tuesday. We have about a 30 per cent increase in student enrolment at New Liskeard; quite close to 70 students this fall, if we can handle them.

**Mr. G. I. Miller:** Are they expanding at Ridgeway at the present time? Are they expanding the facilities or just improving the buildings?

**Hon. W. Newman:** We have some expansion programmes in some of the areas, but with the limited funds that government services gives us for expansion—

**Mr. G. I. Miller:** There are some new contracts out this year aren't there?

**Hon. W. Newman:** There are some, I'm not just sure of the details. Maybe Dr. Rennie could tell you.

**Dr. Rennie:** Yes, Mr. Minister, a new swine barn is being constructed at the present time. That will be used for both teaching and research. The veterinary services laboratory is being improved. Those are the two major projects on the go there at the present time.

**Mr. MacDonald:** Some years ago, when the community colleges were just getting under way, there were various kinds of agricultural courses introduced in some of the community

colleges. They didn't seem to evoke much of a response even in agricultural areas. What's the general picture there now?

**Hon. W. Newman:** As far as community colleges are concerned, maybe I'm biased—I guess I am—but I feel our agricultural colleges really specialize in teaching agricultural subjects, both in an academic and a practical sort of way. No disrespect to the community colleges, which do a fantastic job, but I think that our agricultural colleges—this is my own biased opinion—offer a fuller all-around course for agricultural students.

**Mr. MacDonald:** But you have no overall picture as to how many of the community colleges are offering these courses?

**Hon. W. Newman:** Yes we do. Dr. Rennie can tell you. I can't tell you specifically.

**Dr. Rennie:** Mr. MacDonald, the major activity is at Fanshawe in London. I haven't checked now for about six months, but they have shown some increase, particularly over the past years, I believe they're in the 30, 40, 50 range as far as total students. The other college at Peterborough, Sir Sandford Fleming, graduated four students this year.

**Mr. MacDonald:** I remember some years ago there were comments made in the House with regard to a course in the Sudbury Basin, or out in Manitoulin or somewhere around there. There was no particular response and therefore they just had to drop it.

**Hon. W. Newman:** That's because we're doing such a good job in our colleges.

**Mr. Wildman:** One other question, I know it's optional at the high school level, but some high schools have agricultural courses. Can you tell me what role or what input the ministry has in regard with the Ministry of Education? Or you have any or are the courses completely drawn up by the Ministry of Education? Do you have input on that.

**Hon. W. Newman:** By and large, in the high schools, it's usually a local board option whether they teach agriculture or not. There are courses set up by the Ministry of Education and certainly they hire the appropriate people to teach the course. I don't know what input these people have, but I know some of the fellows I graduated with many years ago were teaching agriculture in high schools.

**Dr. Rennie:** Mr. Minister in many cases they still are, but in most schools—

**Hon. W. Newman:** Maybe they've all retired by now.

**Dr. Rennie:** In most secondary schools they've changed it from agriculture to life sciences, this is what they call it. It varies a great deal across the province in this regard. Possibly in the neighbourhood of 50 per cent—that's not an accurate figure by any means—of the secondary schools do teach courses in the life science area and many of the schools, as you know, have greenhouses. They concentrate more in the plant area when they teach, which I think is fine because in the basic sciences they teach plant growth, plant response and this sort of thing, but very few are teaching the so-called traditional courses in agriculture, which was the case 15 or 20 years ago.

[9:30]

**Mr. Riddell:** Bert Davis takes livestock into that school of his; he has the students milk cows and everything else.

**Dr. Rennie:** There are one or two exceptions.

**Mr. Chairman:** Are there any further questions on item 2? Shall item 2 carry? Carried.

Item 3, research.

**Mr. Riddell:** As you well know, Mr. Minister, the Centralia College of Applied Arts and Technology is situated in the heart of the white bean country. Do you see any merit in purchasing land to carry out research in connection with the college there?

**Hon. W. Newman:** There are arguments pro and con about doing a lot of research at the various places as opposed to doing some really concentrated research in other areas. There are a lot of things we'd like to do at our various colleges—not only at Centralia, but also at the others—to expand our programmes, but I guess the limitations of funds makes it very difficult. Regarding white bean experimentation, speaking from past experience, I know the Ministry of the Environment has done some work on white beans and how car exhausts can affect them at a certain stage. I don't know if we have any plans in that area or not. I know we don't have any money, but I'm not sure if we have any plans.

**Mr. Riddell:** The suggestion was made by a former staff member at Centralia—I think probably you know who I'm talking about—and he thinks there is a great deal of merit

in having land available for research in the white beans and other crops that are grown in Ontario.

**Dr. Rennie:** If I might respond to that, Mr. Minister, we did start a small research programme at Centralia in the summer of 1975 by leasing a small acreage from ODC; it was the only area of the total ODC property there where the topsoil had been basically unmolested. Last year was spent solely in getting the land ready. The idea there is to do a modest research programme in white beans and rutabagas only. They might co-operate with the regional tests in corn across the province, but that will be after the other programme gets going. The major effort at this point in time is to concentrate in white beans and rutabagas.

**Mr. Riddell:** How much land owned by ODC would be suitable for research work?

**Dr. Rennie:** We have 15 acres that they are working at the moment, and they estimate there is no more than 20 to 25 acres that's undisturbed. The rest is so mixed up it just will not do.

**Mr. Riddell:** I thought maybe there was 100 or 200 acres there that could be used.

**Mr. R. C. Bennett:** We sounded it all out, but it's very disturbed.

**Mr. McKessock:** There is a reference here to research information related to veterinary medicine. Is this the veterinary technician courses that are mentioned in here? It talks about the research institute in Vineland, Simcoe and Bradford.

**Dr. Rennie:** Mr. McKessock, that is the research work in veterinary medicine at the University of Guelph. We found that, as a ministry, through our contract with the University of Guelph. That does not apply to the animal health technicians' course at Centralia; that's under the education vote.

**Mr. McKessock:** So the veterinary college doesn't come under the Ministry of Agriculture and Food here?

**Dr. Rennie:** Not administratively, sir. It comes under research; you'll see \$11,128,000 for services.

**Mr. McKessock:** What does that \$11 million take care of in veterinary research?

**Hon. Mr. W. Newman:** Can I explain one thing before we go into details? The Agricultural Research Institute of Ontario is a committee of how many, Dr. Rennie?

**Dr. Rennie:** Fifteen.

**Hon. W. Newman:** Fifteen experts in various fields who sit three or four times a year or more—about eight times a year—and listen to various presentations from groups.

**Dr. Rennie:** Five times a year.

**Hon. W. Newman:** It's five times a year. They have meetings of their own to decide what projects should be pursued in the research field. Research is always—I'll give you an example of research, corn, and I'll go back to the early 1950s when really we had just started growing corn in any quantity. The research and the efforts put into the research done at Guelph through our research department have taken us from about 70 million bushels of corn 20 years ago to 140 million bushels of corn in 1975 and, hopefully, we are shooting for a 200-million bushel corn crop in the Province of Ontario.

That is just one example. The research I mentioned earlier on peanuts is just one small part of it. All kinds of research programmes are going on at Guelph—and at the other colleges but mainly at Guelph—in the veterinary branch and the agricultural branch. We could give you a breakdown in detail of the various research programmes going on.

**Mr. McKessock:** To get back to my question on the veterinary—is this money which you put into the veterinary college for special research work?

**Hon. W. Newman:** Yes.

**Mr. McKessock:** Okay.

**Mr. R. G. Bennett:** That is approved by the research institute.

**Mr. Wildman:** Could you give me some idea of how much money you are spending on research on innovations in farm machinery and farm buildings?

**Dr. Rennie:** Yes, approximately \$200,000 is our total allocation this year in the agricultural engineering field.

**Mr. Wildman:** How do you co-ordinate the work you are doing in those fields with Guelph, the ministry, manufacturers and farm groups? What roles does each of those different people in research have in deciding what fields you should be looking at and how the research should proceed and so on?

**Hon. W. Newman:** Can I just give one small example before we go into detail? For instance, we are doing special work on energy conservation in agriculture this year. We are

also co-ordinating with the Ministry of Energy to make sure we are not duplicating work. That's just one example. We are doing it in the greenhouse industry and various other areas where we can save energy because of the high fuel costs. There are many others and I will ask Dr. Rennie to follow on from there.

**Dr. Rennie:** It's a very good question you ask because the co-ordination of research is a difficult task. We have a very extensive system in Ontario called the Ontario Agricultural Services Co-ordinating Committee which, in my position, I chair. We have eight major committees under that including the animal field; field crops; horticultural crops; ag engineering; economics; and food. There are many subcommittees within those, each dealing with specific commodity areas or specific discipline areas as the case might be.

In most cases those committees are made up of researchers from the various institutions including Agriculture Canada; extension people from our own ministry; representatives from the agri-business; representatives from marketing boards; farm organizations; and producers.

They vary a bit in content from one area to another.

The one you mentioned specifically in ag engineering is a difficult one to get input into from agri-business. We have attempted it, in the farm machinery area particularly. That's the way it works and those committees meet twice, sometimes three times a year. The overall body meets twice a year and we expect the members to come forward with their recommendations on the priority areas of research which they feel, collectively, should be done. They set priorities in their areas, and then the overall committee attempts to set priorities across the whole broad spectrum of agriculture.

**Mr. McKessock:** When you say agri business, do you mean manufacturing companies?

**Dr. Rennie:** Yes.

**Mr. McKessock:** Why is it difficult to get information on that?

**Dr. Rennie:** It's difficult in that you are looking at, say, new machinery development or new innovations because it is such a different field. But if you are doing research on nutrition of livestock, it's not as difficult. The farm machinery companies, or firms in other areas, don't want to reveal what they themselves might be working on. You have to respect that to a great extent, because it could be something that might be subject to patent. So it's a



different area and we, as a ministry, are not involved in new machinery development as such. That's a very massive and very expensive type of programme.

**Mr. MacDonald:** To what extent do you test machinery that is going to be put on the market?

**Dr. Rennie:** Not a great deal. We will, in some cases, get new machines that come out. The new machine at the Vineland Station used for mechanical harvesting in fruits was purchased last year in order to test it out at the station and modify it for our conditions. Many of these machines for mechanical harvesting are built in areas of North America where climatic and soil conditions are somewhat different than ours, and you have to modify them. We feel our biggest role is in the area of modifying them so they are more suitable for application here in Ontario.

**Mr. MacDonald:** Well either in modification or testing; because in Saskatchewan—I'm not sure whether it's the case in Manitoba and Alberta—there is extensive testing of farm machinery. This is to avoid a rather jazzy looking new machine being put on the market and six months later farmers finding they've bought white elephants.

**Dr. Rennie:** My comment on that is that we do some. New large balers came on the market just a couple of years ago—

**Mr. Riddell:** There's been a lot of them.

**Dr. Rennie:**—and they've had two years of testing of different models at the New Liskeard college. I anticipate we'll follow through this year as well.

**Mr. MacDonald:** Why don't you do it on a systematic basis? Machines that are to be marketed in Ontario would be tested so the farmers wouldn't be made short-term dupes for machines that needed to be modified or were not valid.

**Hon. W. Newman:** There are several reasons; and one is that we don't have the funds and the staff to check them all. Secondly, I come back to a basic philosophy that the major machinery companies, if they are going to remain competitive on the market, are going to have to put out a machine that will work well or they will find themselves in deep trouble. I can only speak from personal experience from using different kinds of machinery on my own farm. You soon find out for yourself or from other farmers which machine is the best machine to buy.

**Mr. MacDonald:** But they are no less competitive out on the prairie provinces, where they have predominately an agricultural economy. Quite some time ago they saw fit to protect the farmer from either completely inappropriate or moderately inappropriate machinery requiring modification. This avoids the farmer buying it and finding he's got a lemon or he's got a relatively useless investment.

**Mr. McKesock:** It is a pretty expensive experience for the farmer. It may, in long term, cut down the manufacturer who is selling them, but it doesn't help the farmer any to let him learn from experience.

**Mr. Eaton:** I would just like to comment on that, Mr. Chairman. I had the opportunity two years ago of visiting International Harvester's research facilities outside of Chicago. Among the group happened to be a brother of Premier Schreyer. He was a large implement dealer in Manitoba and was just as amazed as I was at all the tests the equipment went through and the money involved in setting up the tests. All the equipment goes through major testing before it is ever put on the market. I think we would be utterly foolish to spend money to duplicate the kind of facilities they have there; it amounts to millions and millions of dollars. All their equipment is being tested; and the other companies are doing the same sort of thing. I didn't get a chance to visit the others, but I know some other people who did. There are the same kind of facilities for the other companies too. Out west they are just spending money to duplicate the same things, and they are only scratching the surface compared to what companies themselves are doing in testing equipment.

[9:45]

**Hon. W. Newman:** Many of our staff, by the way, go to see a lot of the shows. They want to see the kind of endurance tests they put this equipment through.

**Mr. Wildman:** I think the study has been interesting, but I think it took a bit of a different twist than I intended when I first asked the question. I understand what you're saying about the machinery manufacturers, if they are developing some new kinds of machinery, not wanting to give their secrets away to potential competitors.

What are you doing with companies which are not usually directly involved in developing farm equipment? For instance, I mentioned buildings. What are you doing with primary manufacturers, like steel companies

or somebody like that, to interest them in new developments in farm buildings for instance?

They tend to shy away from the whole thing. You've got these corrugated or galvanized buildings that are produced by some small companies, but they are not really adapted to particular kinds of farm operations, whether it be hogs or hens and poultry and this sort of thing. Are you doing anything to try to interest those kind of manufacturers in doing research and coordinating what they might be doing in that field?

**Hon. W. Newman:** Our agricultural engineering extension services do a lot of work. A lot of experimental work is done with different kinds of buildings, different kinds of floors, different kinds of slopes, different ways to handle manure and different ways to handle various products. All the time we're doing work and once we find something that's satisfactory we make sure it gets out to our agricultural people so they are aware of it. If there's a need for a certain commodity that we say is good, you can be sure that one of the companies is going to be very interested in developing it.

**Mr. Wildman:** I had a rather unusual meeting recently with a representative of Dofasco. He said they had had almost no contact at all with Guelph or with the ministry. When we started talking about possible kinds of things they might get involved with, he seemed quite surprised at the kinds of things that might be done. I'm just wondering if that's unusual. Is Stelco more involved? I know Algoma Steel doesn't produce those kinds of things. It just isn't involved in the kind of manufacturing that would enable it to get involved in this deal.

**Hon. W. Newman:** I'd like Dr. Rennie to answer your question about steel buildings. We got into this discussion last night with Mr. MacDonald. There are a lot of products on the market and maybe Dr. Rennie would just like to comment on it very briefly.

**Dr. Rennie:** The steel companies have not been that interested nor have our people and our engineers, because of the cost involved when you talk about steel-framing our farm buildings. Mr. MacDonald asked last night why our various buildings at the research station at Guelph were primarily wood-frame. It has been essentially a matter of cost.

However, that's for the framing but not for the exterior. These costs are coming closer together and there are some countries now

where you are seeing fairly extensive steel-framing coming in, again because of the cost relationship.

Right at the present time the engineers at the University of Guelph have met with a group of representatives from four or five different steel producing companies and they are putting together a proposal in this area. The steel companies may themselves come out with a package proposal for steel-framing, because they think they can be cost-competitive.

**Mr. MacDonald:** On the point I was raising last night, Mr. Minister, I understand that a letter has been sent, presumably to all members of this committee and perhaps to all members of the Legislature, about some demonstration at the Shur-Gain farm next Wednesday.

**Dr. Rennie:** That's it.

**Mr. Wildman:** The reason I asked that question is, as you said, the cost differential is narrowing now.

Just one further question related to that: What experiments are you doing or have you done regarding improving ventilation for farm buildings?

**Hon. W. Newman:** Hydro used to do quite a bit of work on this themselves at one time, as you well know, but they don't do as much of it now. We have done quite a bit of work too, but I can't give you too many details. Perhaps Dr. Rennie would like to comment on what we are doing on the actual research on ventilation.

**Dr. Rennie:** I can comment on it very briefly. It has been an ongoing thing for years at a modest level. Our extension engineers learn, from their travels through the province, which systems work, which ones don't work properly and where they can be modified. That's what you might call a type of research. They have done work in New Liskeard, in co-operation with the University of Guelph on different types of ventilation systems—porous ceilings and so on. Last year, and again this year, one of our energy management projects, which the minister referred to, is related to barn ventilation; it is dealing not only with systems but with the energy utilization of different systems and their effectiveness. That's the major effort at the present time.

**Mr. Wildman:** As part of this, have you looked at the effect on production of different types of ventilation? For instance, talking about hogs, what effect does the different types of ventilation have on hog production?



**Dr. Rennie:** It relates more to temperature and humidity; there has been a fair bit of work on this over the past few years and there is quite a bit at the present time.

**Mr. Wildman:** One final question: As far as insulation is concerned, have you done any experiments, or have you been involved in input in any experiments, in the use of styrofoam rather than asbestos insulation for farm buildings?

**Dr. Rennie:** No.

**Hon. W. Newman:** No, we really haven't. Hydro has done a fair amount of work on that.

**Mr. Wildman:** Do you relate research to agriculture engineering in any way or —

**Dr. Rennie:** We don't have a project in that specific area at the present time.

**Mr. R. G. Bennett:** There is an interesting point here: You will recall it was mentioned earlier about improvements and so on at the various schools, and swine barns were mentioned specifically. The three localities, Kemptville, Ridgetown and New Liskeard, are all in different climatic areas; people ask us why we sometimes duplicate things, but we find this very useful in doing some inherent research. I recall particularly that at New Liskeard we built a copy of a poultry building which had been used very successfully at Guelph from a ventilation point of view, but when we got it into the climate of New Liskeard we had to work like the dickens with it. Finally, we just closed it up completely, although the ventilation that was required worked at Guelph. You find this out through various other projects that you do.

**Mr. Wildman:** Fine, that's all I have.

**Mr. G. I. Miller:** I don't whether it comes under research, but parts are a real concern at harvest time and on weekends—labour likes to take weekends off, but the farmers can't, because when the job has to be done, it has to be done. Parts are a real concern in that context. Is there anything that the ministry has done along the line of developing parts depots or working along with the industry to make sure that parts are available?

**Hon. W. Newman:** We've had a lot of discussions. We have a machinery board which looks into this matter and we have looked into this matter as far as parts depots are concerned. We find, by and large, that the dealers we have across the Province of Ontario at this point in time, and I can't speak for all of them, but the report I have is that most of them are

very co-operative on Saturdays. Sunday is a difficult time, I realize that, but, by and large, usually they are open at least on Saturday morning, and I think under the Labour Relations Act or some Act under the Ministry of Labour they are allowed an extension of time.

**Mr. R. G. Bennett:** The Employment Standards Act.

**Hon. W. Newman:** The Employment Standards Act, so that they can work it out, so that they can stay open on Saturday if they want to. A lot of them do; a lot of them don't. I just look around my own area and think of four or five dealerships that are always open at least to Saturday at noon for parts. If you break down Sunday morning you could probably have a problem on parts, unless you know your dealer and get him to come down to the shop.

**Mr. G. I. Miller:** Another area which is of concern is if you buy new equipment—and I had an incident last winter or last year of a particular make of tractor and he had all kinds of trouble with it and he had a tremendous amount of difficulty in getting replacement parts for it. He had a motor go bad, and he had a clutch go bad. Basically it had to be poor workmanship. Is there anything, any place that he has any leverage to get service? I think his tractor was out of service and it was, as we all know, an expensive item. Is there any way, through the Ministry of Agriculture, that they can get any action on this type of thing?

**Mr. Hodgson:** Was it a Russian tractor?

**Mr. G. I. Miller:** No, it wasn't Russian.

**Hon. W. Newman:** John Kessler, who is secretary manager of the farm machinery board, is always working on these problems. Certainly since I became minister two or three people have had occasion to write me and so they bought such and such a make of tractor and in every case it was a well known company.

**Mr. G. I. Miller:** Yes, this was.

**Hon. W. Newman:** The problem is, I don't know about your case, it may be the particular dealer is not getting it done for them. I wouldn't suggest that everybody writes to me, but in each instance I wrote directly to the company and certainly the company were not aware themselves of the type of service this person was getting and the situation was rectified very quickly.

That shouldn't be necessary, and most machinery dealers are very good in looking after their customers and their equipment, by and large. But if there is a particular problem yes,



our people are prepared to try and give the necessary, I don't want to use the word "pressure," but certainly bring it to the attention of the appropriate authorities. They can't stand the publicity of having a bad name either.

**Mr. Riddell:** What if a particular line of machinery comes out from a company with a defect? I had this brought to my attention the other day, where one of the major machinery companies put a certain make of tractor out and every tractor had faulty steering. But because there are so many tractors out across the country the company refuses to take them back in and correct it. Is there any way that the company can be made to take those tractors back and correct that?

**Hon. W. Newman:** I don't think we have any legislation per se, but certainly I would think that if a particular company has put out a line of tractors with faulty steering I'd sure like it brought to my attention.

**Mr. Riddell:** Apparently the steering is faulty on all these tractors and the company recognizes it; but because there are so many tractors out it refuses to bring them back in.

**Hon. W. Newman:** I'd be glad to try and get an explanation from the company for you if you would like to give us the name of the company.

**Mr. Riddell:** It is Massey-Ferguson.

**Hon. W. Newman:** Massey-Ferguson, and what model tractor?

**Mr. Riddell:** I'll have to check; I think it was a 265.

**Hon. W. Newman:** Will you let us know? These are the sort of things I like to know about. If it's a Massey-Ferguson model 265, will you give us a call and give us the model so we are sure?

**Mr. G. I. Miller:** Okay. One further question on research: Tractor pulling has got to be quite a project in the farming area; would there be any possibility of getting grants to assist in this activity?

**Mr. Wildman:** Go to Wintario.

**Hon. W. Newman:** Assisting which industry? Tractor what?

**Mr. G. I. Miller:** Tractor pulling.

[10:00]

**Mr. Eaton:** You know; to see how much they can pull in weight.

**Mr. G. I. Miller:** It's quite an education for young farm people to get to understand the tractor.

**Hon. W. Newman:** You mean a grant to get people involved in these competitions?

**Mr. G. I. Miller:** Yes; would it qualify?

**Hon. W. Newman:** No, I don't think they would qualify for a grant. I assume there are some prizes which might be set up by the fair, but I don't know of any particular case.

**Mr. Hodgson:** You do give a grant for prize money at fairs.

**Hon. W. Newman:** Yes.

**Mr. Hodgson:** And that is included in the prize money. You give a 50 per cent grant.

**Hon. W. Newman:** We do give grants to fairs for prize money. As far as an individual grant is concerned, to an individual person to get the tractor there, no.

**Mr. MacDonald:** Let me come back to farm machinery: A couple of days ago, June 15, in the business section of the Globe and Mail, there was a CP story from Quebec City indicating:

The Quebec Agricultural Department will launch a programme for the accreditation of farm machinery makers and dealers.

The programme will weed out unscrupulous distributor-dealers who market farm machinery and then discontinue their services.

Accreditation of dealers will be based on their performance and "a dealer who is the subject of repeated complaints to our mediator will find his accreditation card cancelled."

Accreditation of makes, the second phase of the programme, will be based on the reputation of the manufacturer and of the person responsible for marketing the equipment in Quebec.

It will not constitute an endorsement of the quality of any particular make, but it will be an assurance of availability of parts and long-term after-sale servicing of the accredited equipment.

If we are not going to do testing—because Bob says we don't need to; we'd be duplicating what the companies are doing—here is Quebec's way of coming to grips with this, weeding out the dealers by accreditation and weeding out the makers by making certain

that if they put products on the market and aren't providing long-term service, they lose their accreditation. Have we considered that?

**Hon. W. Newman:** I would like to answer that in two parts. One is, as you know, we take advantage of the research done in the large testing areas in the US. We keep in touch and we get a record as far as testing of equipment is concerned.

Maybe we should be looking at what you are talking about, some sort of an accreditation of dealers although, according to the farm machinery board, we haven't had any major problems in the Province of Ontario at this point in time. I'm not sure whether it's necessary but certainly we are prepared to look at it.

**Mr. G. I. Miller:** How would this be set up? Would it be due to how many complaints came in?

**Mr. MacDonald:** In the instance of the dealers, there's a quote here from the Minister of Agriculture, Kevin Drummond, "A dealer who is the subject of repeated complaints to our mediator will find his accreditation cards cancelled." I presume it's like a used car dealer.

**Hon. W. Newman:** They probably need it more than we do. That's the wrong thing to say—I don't mean it.

**Mr. MacDonald:** Canadian Press isn't here. It won't be on the wire to Quebec City tomorrow.

**Hon. W. Newman:** They might pick it up. Certainly, we are concerned, I've forgotten how many complaints we had last year—is John here? How many complaints did we have last year on equipment? I was surprised that the figure wasn't too high but I can't give you the—I think they dealt with 141 complaints last year. They resolved, I think, 130 of them or something like that. I am only going by rough figures and I could be wrong. I don't want to—

**Mr. McKessock:** I think a lot of the farmers just don't complain. They go ahead and fix it. With a lot of the equipment which goes out, one of the problems is it's put together wrong and the dealers don't bother to go out with it to test it. The farmer goes to the field with it and he spends the first half day getting it adjusted and putting the parts in the right place and this kind of thing.

If there was an accreditation system set up, the farmers might decide to put in

complaints and before too long the dealers might be a little smarter in putting the machines together.

**Hon. W. Newman:** We are not averse to looking at this thing and, as a matter of fact, I think we will have a look at it.

**Mr. Hodgson:** I feel the farm equipment dealers today are much more specialized in their fields than they have ever been in the Province of Ontario. At one time, you used to have the hardware man; he'd run a hardware store and have a line of farm machinery. He wasn't prepared to service. We have really good dealers in the Province of Ontario—very large dealerships—and they value the farmers' business. By and large, they are doing an excellent job.

**Hon. W. Newman:** I couldn't agree with you more, as I said, and I meant that previous remark. But there are occasions when you may get a new line of equipment which somebody takes on and has problems servicing. That would be my area of concern, a new line of equipment coming in from a certain area where we don't know what's going to happen.

**Mr. MacDonald:** One of the points that appears in both of these is that if a dealer is in business he should be willing to give some assurance, not just for the next six months, but presumably for the next six years.

**Mr. Hodgson:** There should be a one-year to 18-month warranty on it.

**Mr. Lantz:** There were 128 farm machinery-related complaints and, according to the report of our secretary-manager, all but two were resolved to the mutual satisfaction of the farmer and the manufacturer. That was a year ago.

**Mr. Riddell:** Does the engineering department at the University of Guelph do any work at all in designing machinery that isn't available on the market at the present time but that would have a real practical use? The reason I ask that is, we are seeing more corn stover being put up in southwestern Ontario. I am one that has put it up now for the last three years. I just can't fathom why somebody hasn't developed a piece of equipment that will harvest the corn and then put the stocks and the leaves through a harvester and blow it into the wagon. You would do that operation all at one time rather than have to harvest the corn and then come along afterwards with a forage harvester and a wagon.

There are several farmers in my area who are putting stover up. I just can't understand why somebody hasn't designed a piece of equipment that will harvest the corn and put the stover up at the same time.

**Hon. W. Newman:** My only comment to that is that I assume when the demand is there one of the companies will certainly do it. I've got a note here that they tested a machine in Guelph last year that would do that. It was a Russian-made piece of equipment.

**Mr. Riddell:** What were the results of the tests?

**Dr. Rennie:** Only modest satisfaction. It was all right for small acreages but it was not at all suitable at any acreages that we have here on some of our large corn farms.

**Mr. Riddell:** For what reason?

**Dr. Rennie:** It just didn't have the capacity to do it properly.

**Mr. Riddell:** In putting up corn stover the main thing is to get it right after it is harvested for grain because it still is green and somewhat succulent. If you leave it in the field for just a matter of hours, then it doesn't make nearly as good corn stover. I think there is a real need for a piece of equipment like that.

**Hon. W. Newman:** My only comment is that rather than for us to get involved in the designing of machinery, I have found in my experience of farming that when there is a need for a particular product they'll find a better machine that will serve the purpose. For instance, let's look at the forage harvesters. In the last 10 years, tremendous modifications have been made on forage harvesters and to some degree with some success.

**Mr. Riddell:** Do we wait for the machinery companies to come up with a design or could I go to one of the engineers at Guelph and say: "I think there is a real need for this piece of equipment. Could you design it?" I realize they are not going to make it there but surely they could pass the design into the hands of a machinery company.

**Hon. W. Newman:** Most of the large companies spend a fair amount of money on R and D themselves, to research and develop new techniques and new machinery.

**Mr. Riddell:** I think surely we've got expertise within the ministry at the University of Guelph.

**Hon. W. Newman:** I have a note here that it may be a good idea if somebody suggested to the Agriculture Research Institute of Ontario that it look at it. At the present time, they have looked at it and have recommended that they do not get involved in the actual development of new machinery, which I guess would be a fairly heavy costly thing. But maybe we should be looking at research. I don't know. Certainly at this point in time I would have to be guided by the experts in the field.

**Mr. R. G. Bennett:** I would just like to make a comment on this. There is a bit of this goes on. Usually where you see it more than, say, for a specific job that you are talking about—putting up corn stover, which is just a part of your regular operation—is where you get very intensive farming and cash cropping. I think particularly up at the Brantford marsh, a number of them there who are large celery growers, for example, have done a lot of work working with our research people, and then if they need some assistance from one of our engineers and so on to develop them.

There is quite a number of machines, carrot harvesters, celery harvesters, this type of thing. I call them unique types of machines, developed for particular uses, but usually it happens where there is an intense type of farming. Quite a bit of development has to go into this, and it's a fair cost so it has to be worth the dollar. Once you get it done, you have to be able to use it plenty.

**Mr. Riddell:** So this development was done by—

**Mr. R. G. Bennett:** The farmers themselves to a large extent, and wherever they need some expertise the experts come in and help them develop it.

**Mr. Wildman:** I would just like to come back to the question of parts for a moment. For the short time I worked on farms—and I know everyone here has had more experience than I have—my experience was that the machines seemed to break down just when you have good weather and when you have to get the crop in.

In the north, even though you have co-operation from dealers, we have the added problem of transportation, because quite often the dealer doesn't have a large inventory of a particular part or may not carry the part. That means he has to order it from Toronto usually, and it has to be transported up and that can



mean a wait of weeks in some cases, which is just unacceptable. Usually the farmer ends up borrowing equipment from the neighbours or somebody else like this to complete the work, and there are some rather unusual cases.

I had a case brought to me by a member of the crop improvement association who pointed out to me that he ordered a part and he waited, and waited, and waited for it and he found when he finally got it that it had been transported to Thunder Bay and then put on the truck from Thunder Bay and brought down to Sault Ste. Marie. We have hashed over all kinds of ideas, and it is certainly not the fault of the ministry.

A lot of trucks from the north, as you probably know, travel one way empty. Is there any way at all that some sort of system could be set up with Smith Transport or CP or people like that whereby if there is an emergency need for a part or a number of parts there could be some way of arranging to have those things transported in a short-notice situation?

**Hon. W. Newman:** Many of our dealers—and I can only speak from personal experience—will phone the head office of the company or the main place and if it is a small part it can come up via bus service—

**Mr. Wildman:** Sure, you can transport it on a bus or something.

**Hon. W. Newman:**—but some of the dealers, as you say, wait for weeks. That could be possible, but by and large most dealers stock moving parts, the things that are going to break down the most often. There are occasions where, for instance, on a diesel tractor your pump may go. It doesn't often go, but it requires a fairly costly parts stock.

A pump on a diesel tractor is probably worth \$600 or \$700 today. The last one I bought was \$450, but it is probably a lot more than that now. So the average dealer doesn't carry that sort of pump because it doesn't happen that often. Things like that could be transported up by bus or by truck or by rail, and a lot depends on your dealer and what sort of arrangements he has with the company to have parts shipped.

**Mr. Wildman:** This isn't an isolated thing. I have had this brought up to me by many farmers in my area. They are not really criticizing anybody but they don't really know what's the reason for it. They would like to see if there could be some way that some arrangement could be made to improve the situation. Apparently, the reason this part went to Thunder Bay was that it was sent on CN and whoever sent it didn't realize that

CN didn't come into the Soo. Why it didn't stop in Sudbury and be shipped by truck or bus from Sudbury I don't know.

[10:15]

**Hon. W. Newman:** A lot of this could be resolved if the various companies or dealerships, or whatever companies are equipped for the handling of it, would make it clear to the various transportation people. There are foul-ups and there always will be on exactly what routes are available and how it should go. You say there are a lot of problems there, and perhaps our machinery board people could have a look at it and make some suggestions. If you would like to drop us a note we will follow it up.

I don't know the answers specifically. I don't know what kind of dealers you have up there—Massey, John Deere, or who they may be. Maybe there's some way our machinery board could suggest easier ways of getting the parts from point A to point B.

**Mr. Wildman:** Yes, there apparently seems to be some need for co-ordination.

**Hon. W. Newman:** If you'd like to drop us a note we'd take it up.

**Mr. MacDonald:** Russian or Romanian tractors have become fairly extensively introduced in western Canada, and apparently are somewhat less expensive and have proved to be just as serviceable. To what extent have they been brought into Ontario?

**Hon. W. Newman:** I can't really tell you that exactly. Individuals or groups will go over and buy a certain number of tractors or pieces of equipment, but what the total quantity is I can't tell you.

**Mr. Lantz:** The percentage is still quite small. I think one of the problems is still getting adequate service. I think the dealerships are more thinly spread around the province, so I think that particular problem is still a bit more accentuated than it is for some of the other mainline companies. But I can't tell you the percentage of tractors in service.

**Mr. MacDonald:** About a year ago I had the opportunity to travel beyond the Iron Curtain and I was interested to learn that Romania has extensive exports of tractors. They were thinking of establishing a depot in eastern Canada for the first time. I think they have parts depots in both Saskatoon and Edmonton for assembling and then servicing throughout the provinces.

They were considering coming into eastern Canada; and when I asked where they told

me Sherbrooke. I asked: "Why Sherbrooke?" And they said: "Well, it is close to water transportation and things of that nature." My next question was to ask why not Cornwall, for instance, so they would be closer to the Ontario as well as the Quebec market. Their contention was that they hadn't got a very good reaction from Canada—I presume from Ottawa, in this instance—in terms of what was possible, or what assistance there might be for establishing that operation. I was wondering if anything had happened on it.

**Hon. W. Newman:** No, I can't say.

**Mr. G. I. Miller:** Why don't we encourage them to build our own? Is there any research along that line?

**Hon. W. Newman:** Build our own what?

**Mr. G. I. Miller:** Tractors.

**Mr. MacDonald:** We do.

**Hon. W. Newman:** Of course it's a matter of volume—

**Mr. G. I. Miller:** We don't build a tractor in Canada.

**Mr. Chairman:** Yes, there are some assembled in Winnipeg, I think.

**Mr. MacDonald:** I guess that's right, too. Within this diversification of production, the tractors are all built in the US, and some of the others are built here.

**Hon. W. Newman:** One of the larger companies actually has its tractors built in Italy and its name put on them.

**Mr. Chairman:** Item 3 agreed to. On item 4.

**Mr. McKessock:** First of all, where is the agricultural museum?

**Hon. W. Newman:** Milton. It will be opened this summer on July 1, but we won't be charging a fee because it certainly is not far enough developed to really charge any fee for it this year. They are still developing it and there has been a cutback on funds as far as getting things further developed.

**Mr. McKessock:** The \$200,000, I assume, is for buying the antique equipment—is that right?

**Hon. W. Newman:** Yes, a lot of it is donated, but they do buy some. They may buy an old barn or an old house, but most of that is for the buildings. Some of the old buildings are donated. You might as well

give credit where credit is due; I donated an old log barn to them at no cost—so there was no conflict of interest at all.

**Mr. MacDonald:** What was the cost to transport it?

**Hon. W. Newman:** I don't know. I just told them, "There it is. You can have it if you want it." They said they wanted it so I gave it to them.

**Mr. Riddell:** Old log barn?

**Mr. McKessock:** You mean you got your garbage taken away for nothing?

**Hon. W. Newman:** As a matter of fact, somebody else wanted to buy it from me and I said no. He's sitting in this room: I'm looking right at him. I gave it to the museum because it was an old log barn from eastern Ontario and that's what they wanted. They will take it down and reassemble it on the site. I don't know whether they've taken it down yet; I haven't been down to see.

**Mr. MacDonald:** Did you see that needling letter in the Globe and Mail a couple of months ago which said if this government is interested in prime agricultural land why did it situate its agricultural museum on a piece of prime agricultural land?

**Hon. W. Newman:** It's not that prime, for one thing, but we wanted to show people what good land could do.

**Mr. R. G. Bennett:** On the surface it looks prime but all you've got to do is look behind it at where one of the biggest brick kilns in Canada was situated. Then you know it's not prime.

**Mr. Riddell:** Will there be demonstrations there? Is this what you're getting at? Are you going to display—

**Hon. W. Newman:** No, the museum is set up in stages. It starts at 1800 to 1850 or something; 1850 to 1900; 1900 to 1950; and 1950 to the year 2000—there'll be a spot left for the future. There's a plan laid out for the museum and the varied experience of agriculture.

**Mr. MacDonald:** If it isn't open yet, what staff have you got for \$334,000?

**Hon. W. Newman:** A lot of it is for restoration work. I guess it covers Hawkestone, too, does it?

**Mr. R. G. Bennett:** Our artifacts are stored still at Hawkestone.

**Hon. W. Newman:** We have people restoring things and working there. We have some permanent staff there but there are people—it was open last year, wasn't it?

**Mr. R. G. Bennett:** When we say it isn't open, it isn't open from 9 o'clock in the morning until 5 o'clock at night and we're not charging admission. We have a number of schools and organized groups which have written asking if they can come. There were a number of these coming in so we do have some students employed for the summer now as tour guides and so on. We have eight permanent staff there and then the rest is quite a large number of students who help with restoration and act as tour guides.

**Mr. McKessock:** There's another figure I couldn't quite understand—\$71,500 for supplies and equipment. I know parts are expensive but you wouldn't need any parts for these old machines.

**Mr. Sewell:** This is for the purchase of artifacts.

**Hon. W. Newman:** No, that's acquisition. Supplies and equipment—I suppose we have to have a woodworking shop, a welding shop to restore this equipment.

**Mr. R. G. Bennett:** Lathes, everything.

**Hon. W. Newman:** It's quite interesting. I would recommend, if you haven't been out to see it, that you should have a look at it.

**Mr. Riddell:** When people go there are they going to see this equipment in operation or is it just standing there?

**Hon. W. Newman:** Not at this point in time.

**Mr. Riddell:** How much land is there in connection with this?

**Hon. W. Newman:** About 90 acres.

**Mr. Riddell:** What are you going to do with the land that's not built on?

**Hon. W. Newman:** It is being built on now. If you go out you'll see they're building a barn in—I've forgotten what area it is

now in which the barn is going up. There are two barns going up now.

**Mr. McKessock:** So you will have some livestock on it, too, when you start having people touring it?

**Hon. W. Newman:** No. I doubt if there'll be any livestock on it. It's really an historical background of agriculture from—when it is? Does it start at 1800 or before?

**Dr. Rennie:** From 1825.

**Hon. W. Newman:** From 1825. It will be an ongoing sort of situation. There will still be land left there for the year 2000 and the year 2050.

There have been requests from specific groups to put on special shows there or to use it. It will be at the discretion of the board, I guess, to meet and decide who will use it and who will not use it.

I think it's going to be a very great thing in the future and as the areas grow, young people will have an idea of what agriculture is all about.

**Mr. Chairman:** Is there any further discussion on item 4?

**Mr. Riddell:** One question: Who was Richard Blake Palmer?

**Mr. Sewell:** He was the son of the late Dr. Palmer who was a director of the Vineland Station. Richard Blake Palmer is his son who was killed in action in Burma in World War II. There is a trust fund set up for research into rhododendrons.

**Mr. Riddell:** For research into rhododendrons?

**Mr. Sewell:** Yes. The trust fund has \$50,000, and the interest from that is used for experiments and research.

**Mr. Chairman:** Shall this item carry? Carried.

Vote 1705 agreed to.

**Mr. Chairman:** This concludes the estimates of the Ministry of Agriculture and Food.

The committee adjourned at 10:25 p.m.



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Eaton, R. G. (Middlesex PC)  
 Hodgson, W. (York North PC)  
 Lane, J. (Algoma-Manitoulin PC)  
 MacDonald, D. C. (York South NDP)  
 McKessock, R. (Grey L)  
 McNeil, R. K.; Chairman (Elgin PC)  
 Miller, G. I. (Haldimand-Norfolk L)  
 Newman, Hon. W.; Minister of Agriculture and Food (Durham-York PC)  
 Riddell, J. (Huron-Middlesex L)  
 Wildman, B. (Algoma NDP)

### Ministry of Agriculture and Food officials taking part:

Bennett, R. G., Deputy Minister  
 Lantz, K. E., Assistant Deputy Minister, Production and Rural Development Division  
 McDermid, Dr. K. A., Director, Veterinary Services Branch  
 Rennie, Dr. J. C., Executive Director, Agricultural Education and Research Division  
 Sewell, R., Executive Director, Finance and Administration Division  
 Williams, D. E., Chairman, Ontario Food Council.



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# Legislature of Ontario Debates

**SUPPLY COMMITTEE—2**

**ESTIMATES, MINISTRY OF  
THE SOLICITOR GENERAL**

**OFFICIAL REPORT — DAILY EDITION**

**Third Session of the 30th Parliament**

**Thursday, June 17, 1976**

**Evening Session**

**Speaker: Honourable Russell Daniel Rowe**

**Clerk: Roderick Lewis, QC**

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# LEGISLATURE OF ONTARIO

## SUPPLY COMMITTEE

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THURSDAY, JUNE 17, 1976

The committee resumed at 8:13 p.m. in committee room No. 2.

### ESTIMATES, MINISTRY OF THE SOLICITOR GENERAL (continued)

On vote 1503:

**Mr. Acting Chairman:** We will call the meeting to order as members want to speak regardless of attendance. We're on vote 1503, item 1, which had 2½ hours discussion last night.

**Hon. Mr. MacBeth:** I don't think it was last night.

**Mr. Acting Chairman:** What's today?

**Judge T. J. Graham:** Last Thursday.

**Mr. Acting Chairman:** That's right.

**Hon. Mr. MacBeth:** We were with the OPP last night. We had one session with the commission.

**Mr. Acting Chairman:** Okay.

**Hon. Mr. MacBeth:** I think we're pretty well finished the commission, as such but Mr. Menzies is here tonight; he's concerned with the training and I think that's what Ms. Sandeman wants to speak about.

**Mr. Acting Chairman:** I'll call Mr. Spence first. He has to leave early.

**Mr. Spence:** Mr. Minister, from time to time you get complaints regarding the Ontario Provincial Police. I've never had any complaints myself but I had a gentleman by the name of Mr. McKerrall, who isn't in my riding, who said that the police were harassing him, following him and making it very awkward to be driving on the road. I told him that I thought he should be contacting a member on the side of the government.

I bring this to your attention, Mr. Chairman, because in a case like this, where a constituent comes to you and says the provincial police are

harassing him, stopping him, following him, I'd like to know what you would do. I would feel it would be very awkward for the minister to answer my awkward question, but this man asked me to bring this up under the estimates of the Solicitor General to see what an individual can do when the police follow him.

He thought he was a law-abiding citizen. I have never seen him operating a car or anything like this but there must have been a reason why the provincial police in this province were following him. Anyway I want to bring it to your attention when a constituent comes to me and has convinced me that he must have had some reason to come to me and say the provincial police are harassing him when operating a motor vehicle on our highways in the province.

**Hon. Mr. MacBeth:** I have had one or two complaints along that line. One was a while back and not from your area, Mr. Spence, but from a little further east of you. I think there was a mistake in that there was a wanted person or a wanted car and this other person had a car very similar to it and, as a result, was getting stopped every once in a while. It may be a case of that nature but certainly if you send the information to me I will get a report on it.

This is the Police Commission as opposed to the police, who are before us tonight, as you know. Mr. Bell may have some idea as to some thoughts he would like to express on the problem of whether they get many complaints of harassment or not. At one time there were a few people who thought I should be harassing you or the police should be harassing you and one of the PC members, and I don't think there was any attempt to do so.

**Mr. Spence:** I never was harassed.

**Hon. Mr. MacBeth:** Maybe you should have been but you weren't.

**Mr. Spence:** I should have been, but I'll tell you it was nice that you came over to my desk where we discussed this very issue and came to an agreement that afternoon in which

you said: "There will be no police trailing you on the highways of the Province of Ontario." I appreciated it and I won't forget it.

**Ms. Sandeman:** They had the spotter planes after you.

**Mr. Spence:** I wouldn't think this minister would do that.

**Hon. Mr. MacBeth:** If I could just have the same success with one of our own members, it would be all right.

**Mr. Spence:** However, I do appreciate it.

**Hon. Mr. MacBeth:** If you will give me the information, I will follow it up, but Mr. Bell may have some comment to make.

**Mr. Spence:** That's fair enough.

**Mr. Bell:** I haven't any comments to make in respect to the OPP. We have a complaints procedure which municipal police are presently following. If you are interested in it, I'd be very glad to give you a copy of it and anybody else who is interested.

**Mr. Spence:** I would appreciate that.

**Mr. Bell:** I have a couple of copies here that are available. I wonder if you would pass those over.

**Judge T. J. Graham:** At 10 cents a copy.

**Mr. Spence:** All right.

**Hon. Mr. MacBeth:** I am assuming that you all know Mr. Bell, the chairman of the Ontario Police Commission. Judge Tom Graham is one of the members of the commission.

**Mr. Spence:** Maybe I'm taking up too much time but there are not too many members from my party here at the present time. When I came into the Legislature in 1955 I sat across the aisle from Mr. Tom Graham. Even if we didn't belong to the same party, we did form a very warm friendship.

**Judge T. J. Graham:** Do you play euchre as well as you used to?

**Mr. Spence:** Yes.

**Ms. Sandeman:** I think the vote that I wanted to speak on, Mr. Chairman, was 1503, item 2, Ontario Police College.

**Mr. Chairman:** I'm not just sure if we can carry on. We've got representatives from each party, if we had that period of time.

**Clerk of the Committee:** I think it has been exhausted anyway.

**Ms. Sandeman:** Yes, I spoke on that before. That's fine by me.

**Mr. Chairman:** Is that all right?

**Hon. Mr. MacBeth:** As the clerk says, I think we exhausted that time.

**Hon. Mr. MacBeth:** Mr. Joe Mennill, who is in charge of the Aylmer College, will help in answering some of these questions.

**Ms. Sandeman:** There are two areas I'd like to have Mr. Mennill comment on, if he would. First, it would be useful to us to have an update on how the building programme is coming along. Are you meeting the schedules? Are you pleased with the parts of the college that are in operation? Could you just give us some background on that? Maybe you would like to tell us about the building? The second thing I wanted to ask you about was the curriculum.

**Mr. Mennill:** The first phase of the buildings is nearing completion. They are a little bit behind the original schedule, which was supposed to be last November, but we have been occupying some of the first phase since last August and we have gradually moved in. The reason for that is that they had to tear down some of the buildings to build the second phase and they had to move us into part of it before that.

We are now occupying all of the first phase, which includes classrooms, one residence, the dining facilities and the drill hall, leaving the gymnasium, the swimming pool and the range, which are rapidly nearing completion and which we expect to occupy within the next month or so. The second phase, which consists of residence two and residence three, are under construction and good progress is being made. It is expected they will be finished sometime in 1977.

You asked the question as to the satisfaction; the dormitories seem to be most satisfactory to the students. I have no complaints other than those which occur with new buildings when you are getting the air-conditioning and the plumbing and so forth functioning. There have been some minor problems, but they seem to be corrected and certainly the general facilities are excellent for all purposes.

**Ms. Sandeman:** Okay, maybe before we get into the curriculum it would be helpful too to have some kind of background on the kind of intake you are getting into police training at the moment. To begin with, I would like to know what your proportions are of men and women? I guess it was in the

annual report somewhere—where did I see it?—in the little booklet you sent us—

**Hon. Mr. MacBeth:** Or the Ontario Police College?

**Ms. Sandeman:** Yes, got it. There was a very nice picture of students in the classroom and there are two out of six—

**Mr. Chairman:** A beautiful picture of the minister too.

**Ms. Sandeman:** Oh, yes, a beautiful picture of the minister.

**Hon. Mr. MacBeth:** I'm not very happy with it. I think I look better than that.

**Ms. Sandeman:** Two out of six of them are women. That's on page 23. Is that the total female intake, or was that carefully posed?

**Mr. Mennill:** No, it is not. It happens to be a class. We divide the women up into various classes, but last year, out of 1,668 recruits there were approximately 100 women. I would have to refer to my notes here and look up the exact number. At the present time we have about eight to 10 per cent of women in there in residence right at the moment.

**Ms. Sandeman:** And is that proportion increasing?

**Mr. Mennill:** Yes, it has increased quite noticeably. For instance, in 1972 I think we trained only 17, and in 1973 it was 19, and in 1975 it was about 100 women. So it has increased quite noticeably.

**Ms. Sandeman:** What are the requirements at the moment for entry for men and women?

**Mr. Mennill:** We, of course, are training only employees of police departments and the requirements are as stated in the Police Act, which requires them to be in good physical health and of good moral character and to have a minimum of grade 10 education. Those are the basic and essential requirements.

**Ms. Sandeman:** Do you find that some of the students coming into the college from the force don't have enough academic background for some of the material that you are presenting?

**Mr. Mennill:** This hasn't been what I would call a difficulty. There has been an odd student, that is true, who lacks quite

the intelligence or education to do it, but very few. I don't really think we have had any coming in below the requirements but that requirement, as we know, is a variable one. Some people stay in high school until they get grade 12 and don't have all that much capacity. We have had one or two who have had a little difficulty, but it's a very minor percentage.

**Ms. Sandeman:** I was looking at your courses and the training statistics for the last 12 years, and the outline of the courses in the Police College calendar. I wondered, is there any part of the course in which the beginning policeman is really forced to sit down and take a look at what he or she understands by a police force? Are they kind of brought face to face with what it is they've got themselves into? What is the philosophy of policing in Ontario? What do we hope to achieve through a good police force?

Is there some time spent with them on that? I know you are doing all the nitty-gritty of teaching them the various jurisdictions and that kind of thing, but is there time on the more broad picture of what it is they are all about in the justice field?

**Mr. Mennill:** Yes.

**Ms. Sandeman:** How do you do that with them?

**Mr. Mennill:** Actually we make it a responsibility of every instructor to do that and we have a session on police public relations in which we deal with that. To some degree it is done in lecture. It is also done in small discussion groups, to discuss various problems that they are going to face, and we are increasing this content when the new curriculum comes into effect next year. Of course, there is in-service training which is done in the force.

**Ms. Sandeman:** I'm not sure that's quite what I mean. The problem-solving obviously is an important part of it, but the way they are trained to solve problems seems to me to have a lot to do with what we understand by policing in Ontario. I know you are not going to sit down and have a course labelled "Philosophy of Justice" or whatever it may be, but is there some framework to which they can refer back when they are told, "Well, in certain situations you do certain things, because we believe certain things about the way the police force should operate"? Is there a kind of moral framework



for the whole thing? I guess that's what I'm asking.

**Mr. Mennill:** Very definitely. Some of the sessions on police-community relations deal specifically with that; what his responsibilities are, his peace-keeping function and how he is expected to carry out that job with fairness, as expressed in the oath of office. Also, in the new programme, the course objectives are to acquaint the student with the police role in society, to develop good attitudes in the student based on the practical application of human relations principles, to give him a basic understanding of law and police procedures, to develop necessary physical skills and so on, but that's the attitudinal part of it.

**Ms. Sandeman:** Yes, I guess it's the police role in society that is really at the core of it. Unless they know what that is they can't begin to do anything, really.

**Mr. Mennill:** That's right.

**Ms. Sandeman:** The recruit course, part A, how long does that last for? How long are they there?

**Mr. Mennill:** The current programme is under modification and will be implemented Jan. 1, 1977. The recruit course part A as it exists in the programme we are giving them this year is six weeks and part B is six weeks.

**Ms. Sandeman:** And they are in residence for the six weeks and they get a concentrated training in the law, traffic, evidence, police procedures, and then they go back to the force. Is that right?

**Mr. Mennill:** Not necessarily, because some forces choose to have them take A and B consecutively, which we permit. This is a freedom that they have. More than half of our students right now are taking it consecutively. I don't have the exact percentage but—this varies too. Some of them will be back on the force for a period of six weeks, or 12 weeks and then return.

[8:30]

**Ms. Sandeman:** All policemen would take the A and B and then move on, as it were, through the ranks?

**Mr. Mennill:** As their responsibilities increase, but not immediately, of course.

**Ms. Sandeman:** Some of the courses you have listed on page 16 of the minister's annual report, things like the youthful offender, are I

presume for selected police officers who come because they've been chosen to be the youth bureau or part of the youth bureau in their city?

**Mr. Mennill:** That's right.

**Ms. Sandeman:** I am particularly interested in the handling of the youthful offender. Could you give me some idea, an outline, of what the content of that specific course is?

**Mr. Mennill:** There is a review on the law associated with the youth. That is one of the basic parts. More important, they are brought into contact with the family court, the judge from the family court, with the juvenile correctional institutions, with probation officers and all of the segments of the system of justice which deals with the youth.

**Ms. Sandeman:** How much attention is given to diversionary procedures?

**Mr. Mennill:** There is considerable discussion on diversionary procedures in that course. We bring in people who have dealt with it and are familiar with it who deal with them in a seminar fashion.

**Ms. Sandeman:** Do they reach out beyond the probation services into, say, the other counselling and social services available in the community so they know where the resources are?

**Mr. Mennill:** That's very definitely part of it. We bring in some people who are dealing with social work and they also make a visit to two or three of the correctional institutions. In the last course they made a visit to the Oakville one where they classify them and so on.

**Ms. Sandeman:** I would hate to think that the police who are being trained thought the only available place to send a youthful offender was to training school.

**Mr. Mennill:** No, not at all. The contact with the family court, the social workers, the officers and some of the other institutions, such as the Salvation Army and others run for handling youth who have problems, is part of the programme.

**Ms. Sandeman:** How much leeway are officers in the various youth bureaus given in deciding whether or not to lay charges?

**Mr. Mennill:** I would not care to answer that. That is a policy matter within the force and I have no jurisdiction over what they are given.

**Ms. Sandeman:** Yes, we'll look at that under the other vote. I gather as we look down this list of courses that there are certain courses given in certain years. For instance, last year you didn't give a crowd control course?

**Mr. Mennill:** That's right.

**Ms. Sandeman:** What is the guiding principle in how you decide what course to give?

**Mr. Mennill:** There are only one or two of those courses that weren't given last year and crowd control was one of them. Frankly, last year we had so many student recruits—we had 1,668 total, which was more than our capacity—that crowd control was one we decided perhaps could be left for a year. That was the decision on that. Practically every other course there is given on an annual basis.

**Ms. Sandeman:** Several of the seminars seem to have been dropped in the last couple of years. Are you doing less of the seminars? There were very few seminars last year. According to this list, there were only four.

**Mr. Mennill:** That's right. The ones that were missing there last year were intelligence seminars. We simply didn't have time and space to accommodate them. One of them at least was given at another institution.

**Ms. Sandeman:** For instance?

**Mr. Mennill:** I think they had one up at the Forest Ranger School at Dorset, as a matter of fact, just to provide space.

**Ms. Sandeman:** Do you send police officers to take advantage of—you mentioned other institutions—maybe the Department of Criminology in Ottawa, or other courses that they might be interested in for a specialized, rather more academic approach which would be a kind of refresher course for more senior people?

**Mr. Mennill:** Are you asking me about police officers or police instructors?

**Ms. Sandeman:** I guess the instructors at the college would have that kind of background. I hope they would.

**Mr. Mennill:** Many of them are taking courses at university and so on.

**Ms. Sandeman:** If you have a senior policeman who looks very promising, do you ever give him a little reward of maybe two or three weeks just enjoying the—

**Mr. Mennill:** I can't do that, because his force must dictate that. Certainly, I can say

that I know many police forces are providing opportunities for their police officers to attend courses such as those you mentioned. I would think you could take any force in the province of a major size and it would have people away at such courses.

**Ms. Sandeman:** Yes, that seems to me very healthy, because it's a good thing to step back from the job and take a look at the perspective and get the problems, hopefully, into perspective, particularly for the people who are going to be senior, policy-setting policemen. Have you got any new courses planned for this year that don't show up on last year's list?

**Mr. Mennill:** None new in the 1976 calendar. The changes in 1977 will be the change in the recruit course, which is not really a new course, and we hope we will be able to provide a refresher course when we have the facilities of the new building. This is planned.

**Ms. Sandeman:** How much account do you take in the general law courses of what may happen? For instance, are the students in the youthful offender course being exposed to the Young Persons in Conflict with the Law proposed federal legislation?

**Hon. Mr. MacBeth:** Very much so.

**Ms. Sandeman:** Yes.

**Mr. Mennill:** That's a part of the discussion in this year's course.

**Ms. Sandeman:** Yes, and I would hope that there is some kind of feedback from the instructors, maybe, in the college to the federal Law Reform Commission. Have you, as a college, put in any kind of representation on whether you think it's good, or what could be improved or whatever?

**Mr. Mennill:** We've been circulated with proposals and fed these back to the Canadian Criminological Association and several other organizations. We haven't made a submission, as such, to the Solicitor General of Canada. We would make that through the Police Commission at any rate.

**Ms. Sandeman:** It occurred to me when I was looking at the curricula for the police administration course that the kind of things the students are getting, human relations, concepts of human behaviour and so on, are very important for a police officer, and I wonder why they're not in for the beginning police officer who is going to have to go to the Friday-night domestic brawls and

could do with a little understanding of human dynamics. Is there any reason why you wait until he's been struggling with it for years before you try to explain to him some of the dynamics behind what he's having to deal with on Friday nights, pay nights and what have you?

**Mr. Mennill:** No, we expect the new course in socialization for the policeman would involve that sort of thing. One of the things we have been battling with is space and time, because we've had too many people for the space we've had. This is part of the new programme. It's planned to give that person more on human relations and concepts of the job and how to handle difficult problems and critical situations.

**Ms. Sandeman:** Yes, because it seems to me there's a problem in the Criminal Code at the moment, which is, in broad terms, a lot of the behaviour that we define as criminal and the policeman has to deal with, very often is a social problem. For instance, the "drunk in a public place every Saturday night" kind of charge, although it appears on Monday morning in provincial court, is a social problem. How much training do police get in dealing with the alcoholic as a social problem, the alcoholic as a medical problem? Too often we get this business of the guy being picked up on the street and dying in the cell, choking on his own vomit. Is there anything in the beginners' police course that tells them to watch for these symptoms? If these symptoms are there they should know not to put him in a cell, but to take him to the emergency room at the hospital, even if they say they won't have him, which I know is a problem in some jurisdictions.

**Mr. Mennill:** That's done in two ways, yes. That is dealt with in terms of handling these social problems.

**Ms. Sandeman:** This is at the beginning level, is it?

**Mr. Mennill:** That's right, at the basic level, and also most police departments have their own set of guidelines for handling this.

**Ms. Sandeman:** It would be up to the local chief to —

**Mr. Mennill:** To set guidelines.

**Ms. Sandeman:** I see. Where do your instructors come from?

**Mr. Mennill:** They come from police departments within the Province of Ontario.

Some of them come from the RCMP, some of them come from the Ontario Provincial Police. They are a mixed group of instructors. Actually, they are listed at the back there but their backgrounds are not. We had 17 seconded instructors at the end of the year, and it will show you where the ones that are seconded to us on a loan basis from police departments come from. The ones that are on regular staff are a mixture of RCMP, OPP and various municipal forces within the Province of Ontario.

**Ms. Sandeman:** Do they have any training in training or is their training just their experience of being a policeman?

**Mr. Mennill:** No, as a matter of fact, several of them have teaching certificates, which was one of the bases for selecting them. We also provide them with a course of instructional technique at the college and give them training in the art of training.

**Ms. Sandeman:** It would seem to me, just to come back to the students for a moment, that there is probably quite a difference between policing now and policing, say, 30 years ago, so that for many of your senior officers dealing with junior staff and with situations in the field, there are things they weren't trained to deal with originally. Do the refresher courses cover that problem of changing criminal patterns, changing social patterns and changing public expectations? A lot of that, of course, will happen from day to day by experience. The men on the force will adjust and so on. But is there some attempt to bring them back in maybe every five or 10 years on a regular basis?

**Mr. Mennill:** This is the idea of the refresher course, which hasn't been finalized and finally approved. We did operate one experimental pattern for a year in 1973. It involved a review of information and law and procedure—it was a three-week course—50 per cent of the time; and the other half was spent in what we call social psychology, and it seemed to be very successful. Whether or not that will be the form the newly introduced refresher courses will take, I certainly believe it should involve that.

**Ms. Sandeman:** It sounds as if you're being very flexible at the moment and experimenting with where you want to go and what you want to do.

**Mr. Mennill:** We tried this out on an experimental basis to see how it would work and it seemed to be very successful. When we have the space we certainly hope to reintroduce a similar course, which will deal



50 per cent with the environment in which the policeman works, rather than facts. The facts are done in a seminar fashion.

**Ms. Sandeman:** Yes, I think you've put your finger on what I would hope to see, the split being 50 per cent on the environment in which he works. Any one of us could learn the jurisdictions and the laws of evidence, but I'm sure very few of us could go out into the field and do what a policeman has to do. That seems to me the really difficult thing to train them in, and I guess that is what you're trying to find new ways of getting across. The other stuff, as you say, is classroom work, a question of memory, and knowing where to find the statutes and all that stuff.

[8:45]

**Mr. Spence:** From time to time mothers and fathers know their sons and daughters are using drugs, and this is a tremendous concern to them. In training the Ontario Provincial Police, do you give them training in respect of drugs and what action they should take in apprehending drug pushers in our schools and where young people congregate? Many fathers and mothers are very concerned about drug abuse. Also, it seems to me there is no way of apprehending the drug pushers. If they do catch one of them, he is brought into court and he only gets a few days; then he is back pushing drugs in the same place, it has been indicated to me.

As I say, it is a concern to many fathers and mothers and to some citizens who think our provincial police should be able to go into the schools if they think drugs are carried by the students. In that case, of course, they have to get the permission of the principal of the school before they can enter a school. Men of the cloth also have come to me and asked what can be done in order that we may stamp out the use of drugs in our schools and in places where the young people congregate.

Do you give any of this training to the Ontario Provincial Police?

**Mr. Mennill:** Yes, we do. There are two places where they are trained. One is in their basic training and in criminal investigation training, where they receive considerable training in the identification of drugs and in the legal procedures and the problems involved in drugs. Also, we have a drug investigators' course which applies only to those who are involved to a high degree of specialization in drug investigation. That's what we are doing.

**Mr. Roy:** I would like to pursue the question raised by my colleague. As you know, for a number of years the responsibility for drug investigation basically rested with the RCMP. I know something about the RCMP's responsibility, because I used to prosecute drug charges on behalf of the RCMP back in the 1960s. The transfer of responsibility has been made gradually to the local police forces, and I was just wondering whether there is any delineation of powers between the RCMP, the OPP and the local police. Where do you draw the line who investigates what and whom in relation to drugs?

**Mr. Bell:** I don't think there is any legal separation of powers. I should think that major importation and distribution remains primarily with the RCMP.

**Mr. Roy:** Because of the international implications?

**Mr. Bell:** Yes, that's right. But when you get down to the lower level you've got the OPP and the municipal forces, who obviously co-operate with one another and with the RCMP. It's a little hard to draw the line, as you know, but that is the best general picture I can give you.

**Mr. Roy:** My colleague raised the point about police training, and I would like to know whether the OPP and some of the larger forces have any undercover operations where you put people out in the community? I see you smiling. That's one of the most effective ways to break up drug rings. Do you have that sort of thing?

**Mr. Bell:** You see me smiling, as you said.

**An hon. member:** That's your answer.

**Hon. Mr. MacBeth:** We're a little off the vote, Mr. Chairman.

**Mr. Roy:** We're talking about training.

**Hon. Mr. MacBeth:** But you were asking whether there are any undercover agents. I think you might ask what kind of training they're doing in the Police College.

**Mr. Roy:** That's right. I want to know about the training of undercover people in the Police College.

**Mr. Mennill:** As I said, we provide the training for drug investigators; these are people who are under special assignments. The training is actually provided by an RCMP team that comes to the college to give that training.

**Mr. Roy:** I see. But I take it, just for theoretical purposes, that the OPP does get involved in undercover operations. You do have members of the OPP force who are involved in undercover work in Ontario. I'm not going to ask you for any names. I'm not trying to destroy the effectiveness of the operations.

**Mr. Mennill:** There's no question that the police forces in Ontario have special investigation squads.

**Mr. Roy:** Okay.

**Mr. Bell:** I have just got an answer that might help you. The OPP have 35 men, under themselves, who are engaged in joint operations with the RCMP; they are also joined by local forces large enough to have a section of this type.

**Mr. Roy:** Yes. You, sir, are you Gen. Sparling?

**Mr. Mennill:** No. I'm Mr. Mennill.

**Mr. Roy:** Mr. Mennill? I was just looking at the pictures here and I was thinking that if you were Gen. Sparling, you had lost a bit of weight.

**Mr. Mennill:** That would be very complimentary.

**Mr. Roy:** I had no problem recognizing Mr. Bell and, of course, I had no problem with Judge Graham, who was here the other day. You're Mr. Mennill?

**Hon. Mr. MacBeth:** See page 10 in the little book.

**Mr. Roy:** Page 10? Oh, there he is. Mr. Mennill. Just as an aside, you're better looking than Gen. Sparling.

**Mr. Mennill:** Don't say that; you'll get me in trouble.

**Mr. Ruston:** Albert, you haven't had much training in investigation.

**Mr. Roy:** I was just a prosecutor; I was never an investigator. Could I go on and ask some further questions of the commission, Mr. Chairman?

**Mr. Acting Chairman:** Can we stay on the college? We're on vote 1503, item 2.

**Mr. Roy:** I thought we were taking the three votes in one. I have some general questions on the commission.

**Hon. Mr. MacBeth:** I wonder if we could finish with the college first. I'm concerned that

Mr. Mennill has been here for the last two days; I'd like to get him finished so he can go back to Aylmer. It's fine to be travelling back and forth in connection with the votes, but the reason for putting them all together is that we bring the staff in from various places. Presently, he's out of school and we'd like to get him back to school.

**Mr. Roy:** Okay.

**Hon. Mr. MacBeth:** If there are any more questions on item 2, I don't think Mr. Bell will mind; although we have finished item 1, I know he won't mind fielding a few questions. Perhaps we could finish with item 2 before we go ahead.

**Mr. Roy:** I'm quite prepared to follow that procedure, Mr. Chairman, if that's your wish. I hate to see the chairman of a college on these extra-curricular activities for too long.

**Mr. Acting Chairman:** The Chair has two quick questions on item 2. Were you finished with item 2, Mr. Roy?

**Mr. Roy:** No, I just want to ask some questions on the college, but I am prepared to defer to you.

**Mr. Acting Chairman:** The college is item 2, so go ahead.

**Mr. Roy:** I must admit to you that I keep getting invitations to go down to the graduation day ceremonies but, since I came here in 1971, I've never had the occasion to attend one of these. Does every member of the force of the OPP have to go through the college?

**Mr. Mennill:** Yes. The Ontario Provincial Police send all their people for basic training at the college and they take advantage of the other courses.

**Mr. Roy:** How long is the basic training?

**Mr. Mennill:** Twelve weeks.

**Mr. Roy:** Twelve weeks.

**Mr. Mennill:** It will be increased to 15 weeks as of Jan. 1, 1977.

**Mr. Roy:** As far as the local police forces are concerned, as I understand it, you have special courses from time to time which they attend. Am I right there?

**Mr. Mennill:** I beg your pardon?

**Mr. Roy:** As far as the local police forces—let's say I'm a police officer with Metro here, for instance.

**Mr. Mennill:** They attend exactly the same courses as the OPP do.

**Mr. Roy:** For the 12 weeks.

**Mr. Mennill:** Yes.

**Mr. Roy:** In other words, are you saying that every police officer, whether local or OPP, has this 12-week basic training with you?

**Mr. Mennill:** I'm saying the opportunity is there and that practically every new police officer in the Province of Ontario is being trained.

**Mr. Roy:** What you're saying, though, is that it's not mandatory?

**Mr. Mennill:** That's right.

**Mr. Roy:** I see.

**Mr. Ruston:** Except for the OPP?

**Mr. Mennill:** This is the force policy. I'm saying that practically all forces in the Province of Ontario do send their people there for their basic training. In Metro Toronto every man comes and so it is with practically every other major force. There might be an odd force in the province which has taken on a man who hasn't been sent but not very many.

**Mr. Roy:** Yes. It's been my experience that from time to time when we're trying to get cases scheduled in the courts we hear the police officer say, "I'm away for 12 weeks at the Police College."

Frankly, those are all the questions I have. I wanted to know the scope of your activity. I am prepared to defer to the Chair on the Police College but I want to come back on some of the other aspects.

**Mr. Acting Chairman:** Mr. Roy, I think, you've completed asking the questions I have. You hit two out of three. I had a point on narcotics and the percentage of forces who have been through the college and those have both been dealt with. I have a very small question: When a recruit goes there, is it an all-expenses paid course or is there a deduction for board or anything?

**Mr. Mennill:** No, the province provides free board and lodging, free training and travel to and from. It is set out in—if you have a copy of this calendar, it is set out under fees and fiscal regulations.

**Mr. Acting Chairman:** Okay, thanks.  
Are there any other questions on item 2?

**Mr. Roy:** How many people graduated from the college in the last exercises you had not very long ago, if I remember?

**Mr. Mennill:** I would hesitate to give you a figure—I can tell you it was about 200 people; 192 to 200.

**Mr. Roy:** What sort of a staff do you have down there?

**Mr. Mennill:** We have a total of 33 instructors.

**Mr. Roy:** Full-time?

**Mr. Mennill:** Yes.

**Hon. Mr. MacBeth:** A question was asked of me by the chairman quietly: As far as municipal police forces are concerned, if a municipal police force wants to send a man to Aylmer, they are on the same terms as far as the course is concerned. There is no payment by the municipality for the training, as I understand it, and the municipality will continue the man's salary.

**Mr. Mennill:** That is correct.

**Hon. Mr. MacBeth:** Board, lodging and training are paid by the province.

**Mr. Chairman:** Item 2 agreed to; on item 3.

**Hon. Mr. MacBeth:** Actually, I think Mr. Roy wanted to go back to item 1, although it was carried earlier, on the Ontario Police Commission. I think Mr. Roy had a question he wanted to ask of Mr. Bell. The next item, 3, is the arbitration commission which, of course, is not Mr. Bell's although he comes back again on hearings under the Police Act. [9:00]

**Mr. Roy:** I wanted the indulgence of the chairman because we accommodated the Police Commission, I think it was last week some time, and then went back to the OPP.

If you recall, Mr. Bell unfortunately was detained someplace else the last time we were discussing it with Judge Graham. At that time, we were discussing organized crime, if you recall. We were discussing the goings-on in other jurisdictions and what the approach here was for Ontario. I think you said on the last occasion that you felt it was not necessary in this province to establish a crime commission like they have in Quebec which, as you know, has been ruled legal by the Supreme Court of Canada, I think it was last fall or perhaps not that long ago.



One of the reasons for the commission is that you accumulate certain evidence but you can't lay any charges. Somewhere along the way if you are going to establish a commission, you have got to establish some sort of a *modus operandi*. You have got to establish some sort of activity which you cannot curb through normal procedures by laying charges under the Criminal Code, so you bring it out through the commission. I think you said on the last occasion that there didn't seem to be sufficient evidence accumulated to warrant that type of commission, not that I want to denigrate in any way your accumulation of evidence through wiretapping or other processes.

What I really wanted to discuss with you this evening, and if I had occasion the other evening, is the question of organized crime and the accumulation of evidence. I have had occasion to visit various police forces. Some time in February I had occasion to be in Montreal and I thought I should take advantage of going down and visiting what is called 4545 Hochelaga, which you obviously have heard about. I thought that was a good headline in the *Globe and Mail* some time ago, which read "Why the Hoods Don't Like 4545 Hochelaga."

I went into the place to find out why the hoods didn't like that particular operation and I had occasion to see why. It is their wiretapping operation, all their special forces. I went into the basement where they have a system down there where they have got 30 taps going on at the same time. As you know, putting in evidence of wiretapping can be complex in courts. There are all sorts of criteria which you must meet. In Montreal they have got this tremendous computer under lock and key which can register these 30 taps all on one computer. They can control their evidence much more closely.

What I wanted to find out from you this evening was, do we have a special force of the OPP which has an operation which resembles what they are doing in Montreal? For instance, do you have a system, a special force? I know you do, as you have talked about it in your report, the Ontario Police Commission report, about your special forces in organized crime. Do we have a setup here in this province where we can monitor some of their activities and where we accumulate this type of evidence? Is there something going on with the OPP that resembles this?

**Mr. Bell:** Go ahead. You started it.

**Judge T. J. Graham:** I started it and I hope I can finish it. I would prefer if you would ask the question pertaining to the OPP from the

OPP when they are before you. They will be here shortly after our vote.

**Mr. Roy:** I ask it to you because, as you know, Montreal is a municipal force really and you have general jurisdiction over the OPP and all the municipal forces.

**Judge T. J. Graham:** Where we fit into the organized crime or intelligence gathering deal is that we co-ordinate the efforts of all the various forces within the province. I can say to you yes, there are such installations, such offices in Ontario, but we don't have a Hochelaga St. There are certain offices located throughout the province.

**Mr. Roy:** I'm talking about the larger jurisdiction here in Metro Toronto. Do they have a system like that?

**Judge T. J. Graham:** Yes, they do.

**Mr. Roy:** They're constantly—

**Judge T. J. Graham:** They are constantly under surveillance. The lines that they have, with the authority to tap, have been fed into one central spot. Everything's been worked out.

**Mr. Roy:** Considering that you have that type of apparatus working, do you feel that the regular procedures under the Criminal Code, the laying of charges and so on, is adequate at this time to control the activities of organized crime?

**Judge T. J. Graham:** We honestly believe they are. There are a number of charges, of course, during the course of the year that have been laid. They have to do with persons that are involved in organized crime. As I indicated to you the other night, there's no evidence in Ontario that we have a "Mr. Big." However, there are very serious charges being laid that involve the criminals that are participating, if you will, in organized crime.

**Mr. Roy:** As far as Ontario is concerned, Toronto would certainly appear to be a lucrative area for an operation; I'm talking about the drug side especially. There's a lot of money in Toronto and an awful lot of people. Is Toronto the major area of activity of organized crime—and is it basically in the drug field? I just suspect that in Quebec intimidation and payments for protection and that type of thing seem to be more in vogue. It seems to have been operating that way for a number of years in Quebec; and that is something that we've been hearing less about here in Ontario.

I was just wondering about Toronto, whether it's because it is more sophisticated in the city

that people look for kicks, money, drugs—which is an area that people turn to. Are drugs the prime area for organized crime here?

**Judge T. J. Graham:** No, we also have off-track betting, extortion and the “six for five racket” or the loan shark operations for instance—and the drugs. I wouldn’t like to indicate the degree of importance as far as the law being broken, because they all seem to play major parts in the problems that do exist. As we indicated the other night, we are not saying we don’t have problems, but we also have a very efficient type of police operation. As I indicated to you, there is also the lack of corruption among the politicians and the judiciary.

I recall having been down to Washington a few years ago and interviewed Valachi. It had to do with certain people who had left Toronto and if there was any connection with crime. We were trying to find just what he knew about the existence of organized crime in Toronto. He said: “That’s a no-no in Ontario. Things are too hot.” He recognized that. We had a statement from him on that. This is what I was trying to indicate to you. Neither we nor the police have been able to isolate or pinpoint a certain party or parties who are the boss, the Godfather of an organization.

**Mr. Roy:** Being an opposition member, I always like to be cynical and somewhat sceptical of any statement. I suppose I was more aggressive about this a few years back. But the information that I’ve been accumulating on this through sources and discussions with other police forces across the country would tend to bear out your statement that there is no Godfather of crime in this province. We’ve got a bunch in Ontario whom I wouldn’t even call lieutenants—they appear to be mostly soldiers. You know how the system breaks down. That’s a great way to have it.

There are a lot of people in the Metro Toronto area. There are a lot of people making a lot of money and with access to funds here. We think it’s a prime area for crime to be working in, but I’m prepared to accept your statement because I certainly have no evidence to indicate otherwise.

The reason I was asking the question was because of other areas. Montreal has its problems; Vancouver certainly has a terrible drug problem, just terrible. I was talking to the RCMP down there and it appears that in Vancouver—I don’t know what percentage of the force is involved in drug activity, not only in investigation but in the courts. They have these terrible conspiracy trials which go

on ad infinitum—court time, investigators’ time and so on. I am pleased to hear about this but I wanted to assure myself that we don’t sort of play smug.

**Judge T. J. Graham:** We started some 10 or 12 years ago, Mr. Roy. You’ve heard of the CISO organization and CISC now, and they have one out west in BC and in Quebec. In Ontario the first intelligence organization was set up—a first for Canada—and we have charter members back here. Ken Grice was probably at the first meeting and so, I think, was Jim Erskine, the deputy commissioner, among other municipal officers. They started off a network of intelligence officers to whom, personally, I give credit for having contributed more than anyone else to the containment of organized crime within the province.

**Mr. Roy:** Yes. I don’t know how I should say this—are there sociological factors involved? One of the countries where organized crime doesn’t seem to be well organized either is England, for some reason. I don’t know if it is the Anglo-Saxon blood which doesn’t tend in that sort of direction. I don’t want to be offensive at all.

**Mr. Kerrio:** Be careful, Albert.

**Mr. Roy:** The last question I want to ask you is: In Quebec they have set up their commission and brought out a lot of evidence; they felt it was necessary for a variety of factors—to educate the public and to bring out some of the evidence which had accumulated over a period of years. They are not even satisfied with that. I was reading the other day that the Solicitor General of the province apparently has brought a bill into the National Assembly of Quebec which is going to give the police forces of Quebec special powers. You know what happened the last time we tried to get special powers for the police in this province. I don’t think any of us was around—maybe Mr. Lawlor; no, I don’t think even he was—in those days of the famous Police Act when the police tried to get special powers.

**Judge T. J. Graham:** Jack Spence was around.

**Mr. Spence:** Bill 99.

**Mr. Roy:** I was reading about it, I think it was last night or the night before when there was a press report. I was concerned that if we tried to pull that or tried to do this in this province probably we’d get the same reaction we did a few years back. It is not necessary here to have that type of power —



**Judge T. J. Graham:** I don't believe it is, I really don't.

**Mr. Roy:** — going into homes without warrants and this type of thing.

**Judge T. J. Graham:** We haven't had occasion to ask for such power, even as it is permitted under the Act, or to ask cabinet to approve of an investigation. We haven't had occasion; only once in about 10 years.

**Mr. Roy:** Okay. I have some further questions on the commission and they are relatively brief.

**Mr. Chairman:** I trust they are. This is a special indulgence granted to the inimitable Mr. Roy. Mr. Roy should respond accordingly.

**Mr. Roy:** Yes, I have just two further questions.

**Mr. Chairman:** You don't want to become another Eddie Sargent. Go ahead.

**Mr. Roy:** As you know, there was a bill passed in the federal House not long ago which took away any further remuneration for judges who have other activities than sitting in the courts and that includes sitting on police commissions. Have you had any problems getting judges to sit on police commissions since they are not being paid for this?

**Mr. Bell:** We haven't to date. I think perhaps this might be better addressed to the Solicitor General who makes these appointments. We do say—and I think I'm not infringing on his territory—that judges have done a tremendous job for us in the province. We always have a bit of concern that we may lose them. Up to the present, we haven't had any problem, but how long does this continue? This is our problem now.

[9:15]

**Mr. Roy:** I talked to the judges at Ottawa and I certainly got no inclination from any of the county bench there that they were prepared to retire from any of the local commissions. As you know, we have a special problem in Ottawa, and it is going to lead me to my second question about various police forces. Maybe I can direct a question to the Solicitor General. You are not concerned about judges resigning from commissions because they are not getting extra remuneration now to sit on them?

**Hon. Mr. MacBeth:** I would be concerned if they started to resign.

**Mr. Roy:** But you have no evidence that they are.

**Hon. Mr. MacBeth:** At the present time, they are being very co-operative. They themselves feel that they have an important role to play on commissions. Likewise, as we went into considerable length the other evening, I support that position. They certainly would like to receive remuneration for the extra time that they devote to police commissions. So far there has been little or no threat of resignation. I say little, though one or two have suggested they might like to be taken off the commissions if remuneration is not soon forthcoming for it. But the majority by far have indicated they are prepared to stay without remuneration.

**Mr. Russell:** I just want to add something. This is happening even with the new judges being appointed. Gerry Kinsman in Kenora is going on the commission there and the new judge, Judge Cudney, who replaced the judge in Stratford, who retired is going on. We had a judge die in Windsor within the last four months who was on four commissions. We have had two judges and each of them took two.

**Mr. Roy:** Which judge was that, Clunis?

**Mr. Russell:** The senior judge there.

**Mr. Roy:** It is not Macdonald?

**Mr. Russell:** No, Bruce is still there. He is Crown supernumerary by the way.

**Mr. Roy:** Is he?

**Mr. Russell:** It was Sid Clunis. We have had no trouble, not at the moment.

**Mr. Roy:** As you know, some municipal councils have felt they should have more input. They feel there should be more local citizenry on the police commission and that it should be wider based. Since it is a municipal force, they believe they should have more responsibility even for the appointments of people on the commissions. Have you given any thought to that?

**Hon. Mr. MacBeth:** We have given it a great deal of thought. At the present time, we feel the existing commissions have functioned well and that there is no reason for upsetting something that is functioning well and has proved itself. As you know, there has been very little scandal attached to any police commissions across this province. As far as responsibility is concerned, there is



presently responsibility by at least one member to the municipal council, the other to the province being appointed by the province. The third is an impartial judge. The responsibility doesn't lie in any one area and we feel that that is working well as far as keeping the commissions honest.

As you know, there are always people ready to approach other people to get something that they shouldn't have. Elected politicians are, by reason of the fact that they are elected, subject to that kind of pressure. Thank goodness, we have a good record here in all levels as far as that kind of pressure is concerned, but it does occur. In order that police commissions don't become the tool of the council, we believe it is wise to separate that responsibility for the commission and have it rest really in three different places. Remember, too, when you are coming to costs, the province does contribute considerably to the cost. We have heard earlier tonight how much cost goes into the training of these forces. In the smaller municipalities there is a payment of \$8 per capita and in the regional municipalities \$12 per capita from the province. So we don't feel the present position is unreasonable.

At the same time, there is also a great deal of desire by the government to make municipal councils more responsible and have more authority over their own budgets. With that involved, we have considered changing the onus and putting the onus on the council to say what it will permit a police commission to spend. If the police commission says it is inadequate, let them be the ones who launch the appeal to the Ontario Police Commission from that budget. We have discussed that possibility.

I think the result of that discussion would be that is what happens now and if we changed the law to make it the procedure, we wouldn't really be changing anything and the municipalities would not regard it as a substantial enough change to go through the process. In other words, they might regard it simply as a sham.

Mr. Bell can tell you how many appeals there are at the present time by councils which now have to make the appeal if the police commission's budget is unacceptable to them; how many appeals there are per year or over the last few years by councils against budgets proposed by the various commissions.

Mr. Bell: Actually, there have been very few appeals.

Mr. Chairman: The minister knew that already. That is why he asked you.

Hon. Mr. MacBeth: I knew there were very few, Mr. Chairman, but I really couldn't tell you how many.

Mr. Bell: I can tell you how many because I can detail them, I think. We had an appeal from Sarnia; I think it was two years ago. We had an appeal from Sudbury. We had an appeal from Chatham. I am talking about in the last three years. This year we have had two appeals and I would prefer not to talk about them because the judgements on them have not been given yet. But this privilege of a council—let me put it backwards: This privilege of a board whose estimates have not been approved by council has not been exercised very freely which indicates that sooner or later they seem to come to some compromise when there is a problem between the two.

Mr. Roy: Let me ask you one last question. As you know the present Ombudsman, Mr. Maloney, proposed some time ago during the inquiry in Metro Toronto in relation to complaints against the police that we set up a complaint bureau in Toronto for the Metro police force. Has that been set up? Do you know?

Mr. Bell: No, this hasn't been set up here. I hope you won't expect me to get into the realm of policy as to whether it will or will not because that is really beyond me. I should tell you that we have a procedure which operates under the present Police Act; guidelines which we have furnished to the forces. I think you might be interested in a copy of it. It doesn't provide for any ombudsman but it does provide for a system.

Mr. Roy: No, I mentioned the Ombudsman because he was in that inquiry; he wasn't Ombudsman at the time. I am not talking about establishing an ombudsman.

Mr. Bell: I'm sorry.

Mr. Roy: I am talking about establishing a complaint bureau. He suggested that a complaint bureau be established for the Metro Toronto police and I understood that one of the problems is that there is at present an investigation going on before a Supreme Court judge who is going to hand down his decision shortly, I think, on certain complaints made about the police.

Mr. Bell: You are referring to Morand.

**Mr. Roy:** Yes, the Morand inquiry. I was wondering—I don't know whether it is policy or not; whether it is an answer from you or from the minister—whether there is any intention of establishing this bureau in Toronto? I was suggesting at the time that maybe we should look at some other of the larger metropolitan police forces because there is a concern among the citizenry that it is not adequate, when you make a complaint about the police, that the police should be investigating themselves. I think it is a legitimate concern yet in a period of restraint we don't want to set up bureaux all over the place and set up too much bureaucracy. I wonder, in the realm of policy, is that your intention? Do we intend to set up something in Toronto?

**Hon. Mr. MacBeth:** Mr. Roy, something has been set up in Metro Toronto in response to the Maloney report which they commissioned. Mr. Singer and I had a little heated discussion on this for about an hour and a half last night on the three reports. He thought we should be more active and speedier in our action in response to the Maloney report, but I reminded him that the Maloney report was commissioned by Metropolitan Toronto. It had a great many recommendations, some of which are good and many of which the Metropolitan Toronto commission has already adopted. But, at about the same time, we asked Mr. Justice Morand to do a report on a province-wide basis. That report is still not here, and last night there were suggestions that perhaps I should be doing something about trying to get that report into my hands before the present session of the Legislature recesses.

**Mr. Roy:** And you didn't feel like phoning up a judge.

**Hon. Mr. MacBeth:** I said I didn't think it was within my power. I understand from press reports that the judge, rightly or wrongly, indicated to the press when it would be produced, but that was the report we had asked for and we were waiting to get it before we decided what kind of recommendations we would make on a province-wide basis. When that comes to us, we will combine the recommendations from Maloney and from Mr. Justice Morand of the Ontario Supreme Court, together with some very good recommendations that Mr. Justice Morin—M-o-r-i-n—has made in his review of the RCMP.

**Mr. Roy:** That's Marin. M-a-r-i-n.

**Hon. Mr. MacBeth:** I'll bow to your bilingualism on that, Albert.

**Mr. Roy:** He's a good friend of mine.

**Hon. Mr. MacBeth:** He has some very good recommendations in connection with the rights of the policemen involved; that's a factor a lot of people overlook too, that sometimes the policemen should have some rights of review. So you ask, do we expect to produce something? Yes, that is one of the jobs we feel must be done, but I hesitated last night to give Mr. Singer any date when it would be done, because I assume it will take some study and co-ordination to put all three together, which we certainly intend to do.

**Mr. Kerrio:** Mr. Minister, I would like to address myself to two particular areas, in which you may be able to help me. I represent a border constituency, and I have some concern resulting from some experience in the last few years with street work in dope and related problems in our community. I'm wondering if some of the people who are here tonight might help me in regard to some of my concerns related to what might be an influx of people involved in dope, dope-pushing and prostitution because of the crackdown in New York state in these various fields. Do we have a problem in terms of some of the people who are involved in these crimes coming into Canada at the border centres, particularly in Niagara?

**Hon. Mr. MacBeth:** I would say individually, yes. I think there is an influx of certain people. As to how organized it is, I'll have to pass that to the OPP, I would say. I think it had better wait until we get back to them on their operations budget; I think they are the people who can tell you that, unless Mr. Bell has something to add.

**Mr. Bell:** I'm afraid that anything I could say would be very general, and I don't think it would be useful to you. If you bring it up on the OPP vote, I think they can give you particulars.

**Mr. Kerrio:** In that case, I'll relate that concern to them.

**Hon. Mr. MacBeth:** It's on the administration of the OPP, but we haven't got into their field operations in traffic or crime.

**Mr. Kerrio:** Fine, I'll bring that subject up again.

The second question I have may relate to the same area, in all probability, when the OPP is before us. It has to do with the question that I asked on the floor of the

Legislature, directed to you, Mr. Minister, in regard to some concern that I have regarding the mobilization of OPP forces in the various areas where we have an infiltration of many people in the summertime—the Sauble Beach and Crystal Beach areas are among the many areas of concern to me in terms of policing of those areas.

**Mr. Chairman:** Mr. Kerrio, with respect, if I may interject: Take a look at vote 1505—have you got the book in front of you there? [9:30]

**Mr. Kerrio:** Yes, I have.

**Mr. Chairman:** Take a look at 1505 which we will be coming to shortly, I trust. Would you not think that you can raise this under criminal and general law enforcement programme?

**Mr. Kerrio:** Thank you, Mr. Chairman. In that case, I will bring forth those two subjects at the proper time.

**Hon. Mr. MacBeth:** This is the police commission presently before us.

**Mr. Kerrio:** We seemed to have moved into some of these areas.

**Hon. Mr. MacBeth:** They have the jurisdiction and the supervising capacity over the various forces.

**Mr. Chairman:** We have been wandering all over the lot; that's true, Mr. Kerrio.

**Mr. Kerrio:** I just thought that if there were some questions that we might relate to while we were here, I didn't want to miss the opportunity.

Item 1 agreed to.

On vote 1503, item 3, the Ontario Police Arbitration Commission.

**Hon. Mr. MacBeth:** Mr. Chairman, we do not have anybody here from the Ontario Police Arbitration Commission. You do have a little red booklet that describes some of their activities. Generally speaking, they are the ones that pick the arbitrators or make recommendations for arbitration.

**An hon. member:** Have you not got that?

**Mr. Chairman:** No, we need the little red book.

**Hon. Mr. MacBeth:** We will have them here tomorrow morning. Maybe we can do it now. I'm just trying to say what they do.

**Ms. Sandeman:** It may be a whitewash in a little red book.

**Hon. Mr. MacBeth:** Well, we wouldn't have put it in a red cover if it was a whitewash. It used to be a little red schoolhouse. They have a relatively limited function.

**Mr. Chairman:** It's a Liberal cover.

**Hon. Mr. MacBeth:** Yes, it's a Liberal cover we have on there. They try to make sure that the people that are selected as arbitrators are suitable people and they make recommendations to the minister from time to time when there is a police arbitration to be held. Mr. George Ferguson is on a permanent retainer basis and does most of those arbitrations for the various police commissions, but there are many other grievance procedures as well. I'll turn the rest of this over to my deputy, if I may, who can tell you just how many there are and how they function.

**Mr. Russell:** The Ontario Police Arbitration Commission was set up in 1972. Its composition, terms of appointment, and functions are set out in section 39 of the Police Act. Much of this is in the annual report and it pretty well follows that red folder that you have there. As to its duties and functions, it's a five member commission and the chairman is Prof. Simmons from Queen's.

**Hon. Mr. MacBeth:** He is on an arbitration or something this evening.

**Mr. Russell:** He is on an arbitration today out of town. We have two members from the police governing authorities, the Mayor of Burlington, Mr. Harrington and Judge Garth Moore of Toronto. Then we have two from the police, Mr. Latten, who is secretary treasurer of the Canadian Police Association, and Larry Langlois from the Windsor police. You would probably know him, Mr. Spence.

Their functions are set out in section 39 of the Act. They maintain a register of arbitrators who are available for designation by the Solicitor General. We have a list now of six or seven. These vary. Some don't work out and are dropped and new ones are put on. At the present time, we have six whose names are set out in the annual report. When an arbitrator is appointed by the minister, actually it is through Prof. Simmons' office through his girl, Mrs. Perik. She makes all the administrative arrangements for the conduct of the arbitration.

**Mr. Chairman:** How these professors stick together.

**Mr. Russell:** There's no question of that.



**Mr. Chairman:** No, I dare say. Take a look at the accreditations. Poor **Dr. Aggarwal** must feel very lonely in there with all those other PhDs around him.

**Hon. Mr. MacBeth:** You should be thankful there are not too many people who appear under the name of lawyers on that list. Some of them may be lawyers.

**Mr. Chairman:** We may be grateful for that.

**Hon. Mr. MacBeth:** It's the academic community that are there.

**Ms. Sandeman:** Could I just ask one question?

**Mr. Russell:** I did want to mention that there is a conciliation procedure which is becoming more effective. Either party can ask for conciliation, and this has been quite effective within the last year or year and a half. I might mention **Tom O'Connor** of Ottawa, whom you have all heard of. He conciliated the problem we had in Nepean and he was appointed a conciliator for Metro just recently. He was successful in three contracts with civilians. He couldn't settle the uniform situation, but he did reduce the issues, and Toronto right now is going to arbitration. But you will see a list here of successful conciliations. When the conciliation is not successful, then it moves into the arbitration procedure. The minister then appoints an arbitrator and it moves on from there.

We are endeavouring to obtain someone to do research to break down the arbitrations which have gone on. They were trying to get a young lady out of criminology to do this, but they haven't been successful as yet. But **Prof. Simmons** and **Mr. Latten** were in the other day and they are hopeful they will get someone soon to do this work. Rather than send out the arbitrations, which are 40 to 60 pages, they are going to be broken down by this research specialist. The material will be fed out that way and would gradually build up as a file of information.

**Ms. Sandeman:** Broken down into what areas?

**Mr. Russell:** This girl will research them for the various items that have been settled through arbitrations, and she will pull the points out. There is just a feeling that many people won't read 60 pages, but they would if it were broken down for them into a page or two.

**Hon. Mr. MacBeth:** As precedents?

**Mr. Russell:** As precedents, yes.

**Ms. Sandeman:** I see.

**Mr. Russell:** So that's pretty well the way it stands right now.

You will notice the words "interest and rights disputes." A rights dispute means that it's a current contract and somebody is complaining about a particular item in that contract. That's a rights dispute. An interest dispute is a new contract. They have gone to arbitration and it is a completely new award they are after.

**Ms. Sandeman:** I just wanted to ask you about the actual estimates. In the amount of money budgeted last year, you had \$27,000 for salaries and wages and this year it is only \$12,000. Do you expect to be paying less fees? What's the explanation of that considerable drop?

**Mr. Edwards:** Last year in the estimates we had some \$15,000 included in there for unclassified salaries. They have not been included this year. That would be for a part-time person, but it didn't come true. Actually, for regular salaries last year we had roughly \$12,000. I think that's slightly more than that this year. That's for one person.

**Ms. Sandeman:** There is a note in the red book that part of the commission's duties is to fix the fees of arbitrators acting in rights disputes. Where do the fees of the arbitrators show up in the budget?

**Mr. Edwards:** They show up in services. This year there is roughly \$8,000 in fees for temporary arbitrators.

**Ms. Sandeman:** I see. And is there any money budgeted for this elusive research person?

**Mr. Edwards:** Not specifically at this point.

**Ms. Sandeman:** I see; so she remains a dream on the horizon. With the freeze that we have at present on civil service hiring, you may have to find some way of getting around that.

**Mr. Edwards:** Yes, unless the priorities could be changed possibly within the arbitration commission to provide some funds for that.

**Ms. Sandeman:** I see.

**Mr. Chairman:** I have one question. In your annual report on page 43, the famous subject of the two fully-armed and trained police officers per cruiser is set out as to the procedural steps it went through. What is the opinion of the ministry about that?

In preface, may I just say that it was felt to be very necessary, particularly to the Metropolitan Toronto police, and has gone into effect at least in some qualified way. But that is partially to blame—it may not quite be the right word—or partially accountable for the fact of the officer on the beat being a disappearing variety.

There has been a fair amount of pressure coming from the citizenry on one side to see not only the clothing but the colour of the eyes of the police officer in community relationships. If two police officers are confined to a cruiser, the likelihood or possibility of bringing that about becomes negligible. Has the ministry any comment on that?

**Hon. Mr. MacBeth:** Yes, I could talk for a long time on it, Mr. Chairman. I haven't always agreed with the various police officers and the police commissions I have discussed it with but if we have an official view it's still along the line that having two police officers in a cruiser arbitrarily—that is, without the right of management or the chief or somebody else to say when it should be done and when it shouldn't be done—is a waste of manpower.

I agree with you. I would like to see policemen doing more beat work, mixing with the citizens, being known as a friend of the citizen and helping young people in the community and all the rest of it. I would like to see more movement that way. I think we discussed that type of philosophy earlier in the estimates, and I agree with you that putting two people in a cruiser is one step further away from that.

I was using the Eaton example in discussing this with a police officer in the last day or so. In the thwarted Eaton kidnap attempt, it was fortunate that when a police cruiser did arrive on that occasion, there were two people there. I am not so sure that the same result would have been effected if only one officer had been there.

There are certainly two sides to the story and, as you know, it has been arbitrated and it's gone to the Supreme Court of Canada. It was a decision of the arbitrator, Mr. George Ferguson, and since it has been tested by the courts, I don't think we are about to do anything to change that decision from an administrative or governmental point of view. Certainly most senior police officials and commissions feel that it is a waste of manpower.

**Mr. Chairman:** If this is your basic sentiment about the issue, you are backing away from it, in the way in which you indicated, by attributing all nefariousness to the courts.

The courts, after all, only ruled as to what the term "working conditions" was within section 29, and what was the ambit of that. You can alter that by a stroke of the pen if you choose to do that.

**Hon. Mr. MacBeth:** We have been requested to do so by many commissions across the province.

**Mr. Chairman:** You have indicated a certain affinity to that position and if you feel that way, why don't you do something about it?

**Hon. Mr. MacBeth:** As I say, personally, I have—you asked me for an official view and I was suggesting that I still have an open mind on the subject; that is the best way to put it. I think there are many occasions, many situations, when two people in a cruiser is a good thing.

I would like to see that decision back in management's hands. When I say management, I am not talking about the commission; I am talking about the chief of police managing his force and he would use that discretion pretty broadly. I think that's the crux of my thinking at the present time. In other words, he would use two-man cruisers in more situations than they have been used in the past.

**Mr. Chairman:** I would suggest to you that there is such a thing as too open a mind. Again, why not test the Legislature? Why not bring in an amendment? You don't have to take the full onus of burden on yourself. You can restore that arbitrament to the individual commissions and leave it an open question.

**Hon. Mr. MacBeth:** I think we will be doing something on it. As you know, it is one of the problems I have been wrestling with as the new minister and I am glad to get your expressions, Mr. Chairman, tonight. I gather you think there is room for returning to the one-man cruiser. I don't know whether other members feel that way but I am certainly pleased to have your expressions of opinion.

**Mr. Chairman:** Mr. Minister, that's not fair. I have an open mind.

[9:45]

**Hon. Mr. MacBeth:** I'd be glad to have some evidence here tonight to help me close mine.

**Mr. Chairman:** I'll give you a push in that direction.

**Mr. Roy:** May I follow up on what you were suggesting? I thought the last comments were humorous to say you both had open minds. I think you made a good point. I think we all have open minds, but surely discretion's got to rest someplace. It should not be a fixed rule that every police cruiser goes around with two police officers. There should be some discretion exercised by people in authority. I think that's what we all agree with and what Mr. Lawlor, the Chairman, is maybe suggesting, that that discretion certainly should lie with the proper authorities. My God, there's got to be some flexibility.

The reason I raise it is that now that the decision has been made in Toronto, I see Ottawa is asking that every cruiser have two police officers. The biggest mistake we can make, I say to the minister with greatest respect, is to pick out specific occasions, as you did about the kidnapping, to justify two-man police cruisers because not long ago a fellow escaped from jail and the police officer who drove up was shot. There was some suggestion that he would not have been shot if there had been two people in the car.

These are judgements of which you can question the validity. It's easy to be wise after the fact and to justify whatever you have in mind. I'm suggesting, Mr. Chairman, that your suggestion was a good one, that surely there should not be a fixed rule that in each and every instance where there's a police cruiser going around the city, there be two police officers in it.

I think there certainly has to be some flexibility left with the proper authorities, people in whom we have trust and people who have experience. I say if it's just left the way it is now, you can bet your boots the first thing that's going to happen is that Ottawa's going to be asking for it and then London and Hamilton and so on. I think the chairman's suggestion that maybe we should look at it in the Legislature is a good one.

Could I raise one thing, Mr. Chairman, and I want it to be in order. There's \$1,000 for hearings under the Police Act and I wanted to raise something with the people from the commission under that item.

**Mr. Chairman:** Yes.

**Mr. Roy:** As you know, under the Police Act when police officers are charged, if they're acquitted there is a certain regulation in the Police Act—I can't quote the number but I looked at it not very long ago—which says that subsequent to an acquittal or a discharge there can be no reference in

the police officer's record of that charge. I think you know the regulation that I'm talking about. I just want a commitment from you that police commissions across the province are following this.

I've heard some suggestions by certain police officers that their advancement might be curtailed because of some reference in their record to a charge which has been dismissed. I just raise it with you as a concern that I have to be assured that the requirements of that regulation are followed. There cannot be any reference and, if there's no reference in the record, I hope there's no reference in the memory of the police chief or the senior personnel that this fellow was charged under the Police Act and was acquitted because of a technicality or so on. I just would like your assurance of that.

**Mr. Bell:** The only assurance I can give you is that as far as we know the regulation is being followed across the province. It's obvious that there might be an occasion when it wouldn't be followed and we wouldn't know about it. Our advisers attempt to check records on their visits to satisfy us that the procedures under the Police Act and regulations are being followed.

As far as we know this doesn't happen, but when you talk about the memory of the chief you are beyond me there. I'm quite satisfied that in the case you cite, where a man escaped on a technicality such as the Public Authorities Protection Act or something like that, it would be a very unusual chief who could erase that entirely from his memory.

**Mr. Roy:** But you see the importance of that is that regularly you have police officers involved in the investigation and the prosecution of crime and they see the court process and they see all the safeguards that are existing for an accused and sometimes those safeguards are a frustration to police enforcement. You know that better than I do. But it's part of the law and we follow it. There's nothing that can frustrate police officers more than when they see a standard applied to what I call the local hoods, or people who are involved with crime, and a different standard applied to them. I just want to express that concern, because there's nothing that can hurt the morale of a force more than when certain police officers feel they are not treated fairly and justly according to the law. That's all the comment I have on this.



**Hon. Mr. MacBeth:** That finishes the Police Commission, I believe, Mr. Chairman.

**Mr. Chairman:** That is right, thank you very much gentlemen for appearing. It was a little prolonged, a little broken, but there you are.

Vote 1503 agreed to:

On vote 1505:

**Ms. Sandeman:** What is covered under that vote, special services? It is \$5.5 million worth. I'd like to know what they are using it for.

**Mr. Gartner:** Under the special services division we have six branches—and these are all specialists in the police force—the anti-rackets branch, the auto theft branch, the criminal investigation branch, the intelligence branch, the security branch, which includes the Ontario Government Protective Service, and the special investigations branch.

**Ms. Sandeman:** How do staff members get seconded to those special branches? How would you stop being a Metro police officer and start being on the anti-rackets branch?

**Mr. Gartner:** You wouldn't be a Metro police officer, you would have to be an Ontario Provincial Policeman.

**Ms. Sandeman:** Okay, Ontario Provincial Police. How would you stop being an inspector or whatever in Peterborough, and start being anti-rackets? Would this be a promotion?

**Mr. Gartner:** You are not likely to be an inspector in Peterborough and be moved to this branch. They are identified at an earlier stage, as constables and corporals, if they have a special ability in investigation, then they go through the promotional process. For the criminal investigation branch, there were 40 people recently applied to come on the CIB. They were put through a very tough two-week examination and the top 10 were selected to become members of the specialist branches.

**Ms. Sandeman:** These are really the cream of the crop doing the most difficult jobs.

**Mr. Gartner:** That's correct.

**Hon. Mr. MacBeth:** I wonder if somebody in the traffic role might take exception to that remark?

**Mr. Gartner:** We'll say in the criminal investigation field.

**Ms. Sandeman:** I wish I could rephrase that. Okay, they may not be necessarily the cream of the crop. But at least—

**Mr. Gartner:** The best investigators.

**Ms. Sandeman:** —they fill the jobs you see as needing the best investigators, being the most difficult—

**Mr. Gartner:** That's correct.

**Ms. Sandeman:** For instance, if you get a local investigation which is beyond the scope of the local people you will call in one of these special branches to take it over from the local people or to work with them?

**Mr. Gartner:** That's one criterion. The other is especially fraud, which involves many areas. It is much better for them to work out of one central office and co-ordinate that than have a small detachment travelling all over the province.

**Ms. Sandeman:** You appear to have held the budget fairly steady since last year. Is this because crime in this rather specialized bracket isn't growing?

**Mr. Gartner:** Crime is growing. It is the constraints.

**Ms. Sandeman:** Are you dealing with it more efficiently? Or do you need more staff that you are not allowed to have under the restraint programme?

**Mr. Gartner:** We have no increase in personnel this year.

**Ms. Sandeman:** So everybody is doing more?

**Mr. Gartner:** That's right.

**Ms. Sandeman:** Do you think that makes you less efficient?

**Mr. Gartner:** We haven't noticed it yet. The men are just working harder; longer hours.

**Ms. Sandeman:** There has to be some kind of point when you just can't handle it—

**Mr. Gartner:** We haven't reached that point yet.

**Ms. Sandeman:** —the volume of work.

**Hon. Mr. MacBeth:** The minister thinks maybe they have been over-staffed to date.

**Ms. Sandeman:** That's what I was trying to elicit. Could you give me some idea of the

numbers of people involved in these special branches? Are we talking about hundreds, thousands?

**Mr. Gartner:** In the special services division, which includes all these branches, there are 343 uniformed complement.

**Ms. Sandeman:** How many—

**Mr. Gartner:** I'm sorry. It's 218 because the Ontario Government Protective Service is also included in that.

**Ms. Sandeman:** The Ontario Government Protective Service takes how many out of the total—140?

**Mr. Roy:** I thought it was item 9, for Ontario Government Protective Service.

**Ms. Sandeman:** Yes, I did too. There's another \$1¼ million.

**Mr. Gartner:** There are 125 Ontario Government Protection Service personnel.

**Ms. Sandeman:** What was the complement figure for the others?

**Mr. Gartner:** It was 218.

**Ms. Sandeman:** It seems to be very strange that you need only 93 more people to deal with all those difficult specialized areas of investigation than you do to protect the Ontario government. Isn't there some imbalance in that?

**Mr. Gartner:** Im sorry. Would you repeat the question, please?

**Ms. Sandeman:** Yes, I'm a little surprised by the numbers. You need 125 people to protect the Ontario government yet you need only 93 more than that to do all these other special investigative tasks, to cover the whole province for rackets, auto theft, security, criminal investigations. Isn't there an imbalance or a certain loss of a sense of priorities?

**Mr. Gartner:** I don't think you can compare the two at all.

**Ms. Sandeman:** You can't but if we're short of manpower—what are these people doing, who are protecting the Ontario government?

**Mr. Gartner:** They are in the building here.

**Ms. Sandeman:** Yes.

**Mr. Roy:** There is one standing right there.

**Ms. Sandeman:** Right.

**Mr. Gartner:** They are here in the building and they are in the building of the Solicitor

General. They are at the Ontario Provincial Police headquarters. Previously this was done by policemen.

**Ms. Sandeman:** It's an awful lot of people.

**Hon. Mr. MacBeth:** I think the number is determined, as I understand it, in consultation with the Speaker. Is that correct?

**Mr. Gartner:** For the House; that's correct.

**Hon. Mr. MacBeth:** I'm inclined to think we've got a few more than we need, too, but I think this has been done—I don't know whether or not the Board of Internal Economy gets into this act—in consultation with the Speaker's rules.

**Mr. Gartner:** I might answer a little better on this. We have hundreds of investigators throughout the province besides these people in Toronto. Every investigation done is not done out of Toronto. We have detective sergeants and people doing criminal work throughout the province.

[10:00]

**Ms. Sandeman:** But the special services budget covers the 215—

**Mr. Gartner:** The 218, yes.

**Ms. Sandeman:** I am sorry—218 people and their backup staff. Right?

**Mr. Gartner:** No, 218. They are the investigators in different branches in Toronto.

**Ms. Sandeman:** But you are not telling me that we pay 218 people \$4.6 million a year. There must be some backup staff involved in that vote. Are you including their secretarial staff or their telephone operators? If you are not, they are earning a large amount of money.

**Mr. Gartner:** The special services' salaries and wages are \$3,990,000.

**Mr. Ruston:** I just figured it out in my head as \$3,924,000, which wasn't far wrong.

**Mr. Gartner:** There is a budget for overtime of \$440,000; attendance budget bonus, \$52,000; clothing allowance, \$98,000; service badge allowance, \$30,000; employee benefits, \$451,000; travel allowance, \$240,000; repairs and maintenance of equipment, \$5,000; supplies and equipment, \$194,000.

**Ms. Sandeman:** What kind of volume of convictions are you getting from the special services? Do we have something in the book? I don't want to ask you questions if I have got the information here; just give me the page.

**Mr. Gartner:** Pages 21 and 22.

**Ms. Sandeman:** Thanks. Okay, that gives all the figures.

**Mr. Chairman:** I don't think that answers your specific question. The number of assignments and investigations are all mentioned, but—

**Ms. Sandeman:** Oh, but not the convictions?

**Mr. Chairman:** Not specifically. I think convictions would be elsewhere but lumped in the total conviction picture and charted elsewhere in the book.

**Mr. Kerrio:** I would like to redirect the question I asked originally, now that the gentlemen from the OPP are here. They may have heard my question, but I will repeat it, if I may.

My concerns about the border cities have to do with what might be considered quite a major crackdown in crime in New York state in recent years; specifically, I am concerned that there may have been quite an influx of crime into those areas close to the borders. I wonder if I could have some comment from the part of the force that would be involved in that kind of study.

**Mr. Gartner:** Our information is that there has been no dramatic increase in crime in that area although, as you are well aware, it is policed by the Niagara regional and the RCMP.

**Mr. Kerrio:** Yes, I didn't know to what degree the OPP were involved, if there were concerns in that area.

**Mr. Gartner:** Not in the areas policed by us.

**Mr. Kerrio:** My other question, of course, would relate to another vote, Mr. Chairman. That's the main concern that I have in that regard.

**Mr. Roy:** When you send out OPPs to investigate the conduct of police officers or to conduct special investigations—let's say a small police force feel that particular occurrences beyond their capacity or whatever—do those things come under special services?

**Mr. Gartner:** Yes, if the request is made by the Crown attorney.

**Mr. Roy:** But this is coming out of your special services right?

**Mr. Gartner:** That's right, yes.

**Mr. Roy:** Okay. I've got something that's of concern to me. You probably will realize

quickly—and the minister certainly will—what I'm leading to. I've got two matters. Maybe I should deal with the easiest one first and deal with the situation that my colleague, the member for Essex North, raised in the House last week. This is about the famous case that they call the "buttergate affair" in Kemptville. I think you had an OPP inspector by the name of Murray McMasters involved in that particular investigation. It involved the theft of something like 5,700 lb of butter. This butter ended up in the hands of various individuals. I think some 27 people were recipients from this theft, including the mayor, Mayor Ken Seymour of Kemptville. He ended up with a couple of hundred pounds of butter on his front steps.

There were very few people charged, although a lot of people were recipients of what was basically stolen merchandise. As I understand the Criminal Code, when you receive stolen goods you've got to give some reasonable explanation as to how they came into your possession.

**Mr. Chairman:** Particularly if they're on your front step.

**Mr. Roy:** Yes, on your front step. And, particularly, as they say in this article from the *Ottawa Citizen*:

The mayor was also more than just a passive receiver and giver. He drove a truck load of the missing cargo from Mr. Straby's home to the truck centre; a fact that was withheld from investigators for several weeks.

Apparently he was being a bit more than just the recipient.

As I understand possession, and I don't want to get too technical, but you've got to give a reasonable explanation. If you find 200 lb of butter, and if you're the mayor of the city, you're presumed to have a certain amount of intelligence. You would ask certain questions. It's not a regular occurrence that you would find 200 lb of butter on your front steps. Reasonable people would make certain inquiries about the butter. Apparently it was distributed to his friends. The article in the *Ottawa Citizen* says:

An OPP inspector was brought in to assist local police, who found it awkward investigating the boss.

Mr. Seymour's influence and power was also very much on the mind of Mr. Hart, according to evidence produced at the preliminary hearing.

He told OPP inspector Murray McMasters he feared the mayor because he



is involved with pretty well everything that's going on around this town and area. He carries a lot of weight. If he wants to do something or get something, he usually does it or gets it.

**Mr. Ruston:** Sounds like Mayor Daley of Chicago.

**Mr. Roy:** He makes him look like an amateur, actually. The article says Mr. Hart, an insurance adjuster, was conducting his own investigation. I take it he was conducting an investigation because there was some insurance on the goods.

My colleague and I, the member for Essex North, raised this matter in the House. There's some humour attached to the case, but there's some concern as well. It involves 5,700 lb of butter, and the mayor is involved and a number of people—and yet very few are charged. Can you give me some explanation? Can you assist me on that at all?

**Mr. Gartner:** It was investigated by the officer from the CIB. He recommended that charges be laid against four persons, including the mayor.

**Mr. Roy:** Four persons, including the mayor?

**Mr. Gartner:** That's right. It was presented to the Crown attorney at Brockville and he decided that there was not sufficient evidence to charge him.

**Mr. Roy:** To charge the mayor?

**Mr. Gartner:** To charge the mayor. Two other persons were charged and they were eventually acquitted. The third was granted a stay of proceedings, and this is still before the courts.

**Mr. Roy:** I don't understand. He was granted a stay of proceedings and it is still before the court? I don't understand, what does that mean?

**Mr. Gartner:** He elected and then he re-elected. I think he elected before a judge and jury and then re-elected to a judge; and then he was granted a stay of proceedings on May 31.

**Mr. Roy:** A stay of proceedings is a procedure that I don't know of.

**Mr. Gartner:** In any event, the Attorney General (Mr. McMurtry) has been advised of this, and has advised us he will be in touch with the Crown attorney there.

**Mr. Roy:** He will?

**Hon. Mr. MacBeth:** On this question, I don't know anything about the case but in view of the fact that it's with the Attorney General and some of the evidence is evidently to be used in court trials, I would just ask Mr. Chairman to keep an eye on how far we should go here. I don't know.

**Mr. Roy:** I appreciate that, but my understanding was that two people were charged and were acquitted. The third person has a stay of proceedings. I don't even know what that means.

**Mr. Chairman:** Does it mean they took some kind of application to a higher court to stay the proceedings?

**Mr. Gartner:** My understanding would be that it was adjourned to a later date. The explanation I get is that the indictment is held and not proceeded with.

**Mr. Chairman:** That's more than a stay of proceedings.

**Mr. Roy:** That's right and it's not something that makes me very enamoured of it when I hear it. The Crown disposes of indictments—to stay indictments is not a procedure known within our system. We either withdraw the things or present no evidence and they are dismissed but we don't stay proceedings. At least, I'm not familiar with that procedure.

**Hon. Mr. MacBeth:** I think, at this point, it's not a police matter. Whether or not the commissioner has his terminology right, I don't know, but I suggest that it's a Crown matter.

**Mr. Roy:** Yes, but I wanted to know about it. I don't want to start talking about evidence and jeopardize somebody's case if it is pending before the courts but if it's not pending before the courts, I don't see anything that would stop us at this time, seeing that the OPP were involved in the investigation, from getting something.

**Hon. Mr. MacBeth:** I'm not so sure the commissioner knows what the state of the case is. Evidently they have presented evidence to the Crown and that, I would suggest, is whose hands it is in at the present time.

**Mr. Roy:** Can you tell me why, out of 27 people who were the recipients, apparently, of the proceeds of this theft, only four were proposed to the Crown attorney for charges?

**Mr. Gartner:** No, I can't tell you that.

**Mr. Roy:** You can't tell me that? I take it this is something you will take up with the Attorney General, is it? There is some concern about it. Is the Crown attorney involved? Is that Mr. Vamplew?

**Mr. Gartner:** Correct.

**Mr. Roy:** I take it that this—

**Mr. Chairman:** The charges that he didn't lay or didn't pursue have your imprimatur, have they, Albert?

**Mr. Roy:** Pardon me?

**Mr. Chairman:** The charges that he didn't lay as Crown attorney and you being in a doppelganger situation—you being a Crown attorney in the past yourself—you seemed to stop questioning at that particular point.

**Mr. Roy:** No, It's just that I know Vamplew well. I recall his appointment.

**Mr. Chairman:** Yes, I know and what he doesn't do is okay?

**Mr. Roy:** No, not at all. My concern, basically, Mr. Chairman, was that four charges were proposed although 27 people, apparently, were involved. He made a decision that with one individual, charges shouldn't be laid. That was the mayor. The Attorney General, apparently, will be looking at that one. I'm looking at the other 23.

**Mr. Chairman:** So am I.

**Mr. Roy:** Why the other 23; of course, I'm very concerned, Mr. Chairman. Although I know Mr. Vamplew and I respect his judgement, I'm not prepared to say off the cuff that he was right. I'm sure he looked at the evidence but there are greater implications.

One of the charges which was not laid involved the mayor. We have to be sure, for the citizenry, the public out there, that the mayor doesn't get any special treatment. I'm not suggesting that at all. I'm just saying that's the first thing that comes to mind—you propose four charges and three people are charged but, the charge which was not laid involved the mayor. You say the Attorney General is looking at this and I take it you cannot give me any explanation today.

**Mr. Gartner:** Other than that our investigation revealed that these were the four principals. We couldn't obtain evidence against the others

[10:15]

**Mr. Roy:** You couldn't obtain evidence against the others. The only evidence that is

required usually for a charge of possession is that you find someone in possession of stolen goods. I realize with butter it is not quite that easy. It can be disposed of, it can melt or it can be eaten.

**Mr. Chairman:** It is a very slippery charge.

**Mr. Roy:** It is a charge that disappears rather quickly.

**Mr. Gartner:** The inspector is a very competent investigator with years of experience.

**Mr. Roy:** I don't doubt that he is. Most OPP officers are competent. I don't doubt that at all. I would just like to be satisfied why it was that the 23 people were not charged. Is it because there was no further evidence?

**Mr. Gartner:** That is the information I have, that these were the four principals and they could not obtain evidence against the others.

**Mr. Roy:** Having in mind that we are dealing with 5,700 lbs of butter, do you have any idea what type of quantities these other people were getting? According to the report I have here, some people were getting from 2 lb of butter to 1,000 lb of butter. I can realize that 2 lb of butter can be disposed of rather quickly but if you are getting 1,000, it might be another matter.

**Mr. Chairman:** He didn't get to be mayor for nothing. He is perfectly innocent.

**Ms. Sandeman:** Butter wouldn't melt in his mouth.

**Mr. Chairman:** That's right. Ms. Sandeman said, "Butter wouldn't melt in their mouths."

**Mr. Roy:** I don't want to press you, because I realize I am bringing up a point which you are not prepared for. I take it that OPP inspector Murray McMasters is not here and so it is difficult. It is an occurrence among many other occurrences that the OPP investigate.

**Hon. Mr. MacBeth:** All I am saying is that the policeman's duty stops at some place, you know, Mr. Roy, and goes over to the Crown attorney.

**Mr. Roy:** That's right.

**Hon. Mr. MacBeth:** I gather the police have presented their evidence to the Crown attorney and for some reason he has decided to proceed in some cases and not in others. I am suggesting to you that that is a decision made by the Crown attorney on the basis of

evidence that the police have supplied him with. If you have any questions in regard to it, it should be followed up with the Attorney General, rather than with the police. You put them in a little awkward spot in asking them to give you evidence about people whom the Crown has decided not to proceed against. If they say something here, it works to the prejudice of the record of those people. I am not so sure that we want made public all the evidence that the police gathered where for some reason the charges are not proceeded with. I think you are treading very close to that line.

**Mr. Roy:** With respect to the minister, I try to be responsible in my approach to this.

**Hon. Mr. MacBeth:** I am trying to help you there.

**Mr. Roy:** There are two matters here. One matter involves suggestions by the police that four charges be laid and a decision has been made by the Crown attorney that only three charges be laid and one individual that is not charged is the mayor. For that information I am going to have to go to the Attorney General because a decision was made by an officer under the jurisdiction of the Attorney General, the Crown attorney. I am prepared to leave that because the OPP, according to the gentlemen here, suggested that charges be laid against the mayor, and the Crown attorney has made that decision. It is not for them to answer his judgement. I am prepared to go after the Attorney General on that.

**Hon. Mr. MacBeth:** I question whether we should have even been telling you that they were recommending that charges be laid.

**Mr. Roy:** I think that is quite proper.

**Hon. Mr. MacBeth:** As I say, I wonder. Maybe that immediately casts some suspicion.

**Mr. Roy:** No.

**Hon. Mr. MacBeth:** I would disagree.

**Mr. Roy:** Many times as a Crown attorney I have had police officers come and say: "Here is our evidence. We suggest that charges be laid." I would say: "I think we are missing one of the technical points. Can we prove ownership? If we can't, boys, we don't have a case."

**Hon. Mr. MacBeth:** But at that point you say: "Boys, we don't have a case," and you make public the fact that you didn't have a case against Mr. X. Is that justice as you know it?

**Mr. Roy:** It is not as though the case has not been made out. The mayor has talked about it in this whole article in the Ottawa Citizen of March 25. He is a public official here.

**Hon. Mr. MacBeth:** We don't generally do our trials in the press.

**Mr. Roy:** I appreciate that we don't, but I think I'm in order in asking the OPP, Mr. Chairman. I'm not pursuing the matter about the decision made by the Crown attorney; I appreciate that is under—

**Mr. Chairman:** Mr. Roy, may I interject for a moment? It seems to me that you've conceded the first point about the charges that were actually laid; you are pursuing the second thing about the ones that weren't laid—and the police maybe did go a little too far, but that surely is a question for the Attorney General too. It was placed in the hands of the Crown attorney; he was the one who made the decision, and not the police—why didn't he do it? I think your interrogation should be directed, not to the commissioner but to the Attorney General when the time comes.

**Mr. Roy:** I appreciate that. What about the other three fellows who were not charged? I'd like to have some explanation of why it was that they were not charged. The Crown attorney never even got to look at these other 23 or so individuals. I'd just like to have some explanation by the OPP of what was lacking in the evidence about the other individuals that charges were not pursued against them.

**Hon. Mr. MacBeth:** I think that may be reasonable enough, Mr. Chairman, if names aren't mentioned.

**Mr. Roy:** No, I don't want any names; I don't even know who they are.

**Hon. Mr. MacBeth:** The names may be in the press; I don't know.

**Mr. Roy:** No, there is no mention in this article about the other 23.

I want to be as fair as possible: Could I leave it with the Solicitor General to advise me why it was, considering the report that between two and 1,000 lb of butter was distributed among various individuals, that charges were not laid against the others? What was lacking or what did the police feel was not sufficient to propose any charges in those cases?

**Hon. Mr. MacBeth:** Might I ask whether it was a decision made by the police that they



didn't have sufficient evidence or was it a decision by the Crown attorney?

**Mr. Gartner:** The police would present all they have to the Crown attorney, but you must remember that the inspector wasn't there the next day. I don't know the exact delay, but there was some delay before he was called in, so I would think he would be fortunate to be able to charge anyone after some delay.

**Mr. Roy:** I appreciate that. That might be the explanation; I don't know. We are dealing with butter—it's just like stolen tomatoes.

**Mr. Gartner:** I don't know the time delay, but I am advised there was a considerable delay before he was called in to investigate.

**Mr. Roy:** Could I get an undertaking from the Solicitor General that I'll get some explanation as to why it was that there was no proposal by the OPP that charges be laid against all but four individuals?

**Hon. Mr. MacBeth:** No, I'm not prepared to give that undertaking. As I say, I don't know whether it was a decision of the police that they didn't have enough evidence or whether it was presented to the Crown.

**Mr. Roy:** You are not listening to what your officers are saying. They said they proposed that charges be laid against four people.

**Hon. Mr. MacBeth:** Right.

**Mr. Roy:** I'm talking about 27 here; so I eliminate four and I say the police proposed charges against four people. I'll deal with the four some other time; why was there no proposal for the other 23?

**Hon. Mr. MacBeth:** Was that, if I may ask, a decision of the police that they didn't have enough evidence, with or without the advice of the Crown?

**Mr. Gartner:** We would have to review the report, but all the evidence they had would be presented to the Crown.

**Hon. Mr. MacBeth:** Even on these other 23 cases?

**Mr. Gartner:** Yes.

**Hon. Mr. MacBeth:** That's the point I'm trying to get at. I think it may be quite legitimate to ask the police—as long as you are not identifying the people—why they didn't recommend charges. But if it was the Crown attorney who made the decision in consultation with the police, then I think it belongs in his

bailiwick and it shouldn't be up to the police to give that answer.

**Mr. Roy:** Could I have the assistance of the Chair or the minister? What's your name, sir, and your title?

**Mr. Gartner:** My name is Gartner. I'm deputy commissioner, operations.

**Mr. Roy:** Mr. Gartner, I thought you said earlier that the OPP went up to the Crown attorney's office and said, "We suggest that charges be laid against four individuals," which leads me to the conclusion that they felt no charges should be laid against any of the other individuals involved in the case. What I want to know is, can you give me some reason why it was decided by the police that no charges be laid against the other individuals, apart from the lack of evidence? I take it there must have been a lack of evidence but what was the lack of evidence?

**Mr. Gartner:** I didn't say that. Your first question was dealing with the mayor.

**Mr. Roy:** Yes.

**Mr. Gartner:** I said that they had presented the evidence on that particular person and Mr. Vamplew instructed that there was not sufficient evidence to charge this person.

**Mr. Roy:** Did you say that your officer proposed the charges be laid against four people?

**Mr. Gartner:** Eventually, but your first question was dealing with the mayor.

**Mr. Roy:** Let's proceed. Mr. Vamplew decided against proceeding with the charges because your police had suggested that you proceed against the mayor. I'll have to find out why some other time. Then you proposed three charges be laid against three other individuals.

**Mr. Gartner:** That's right.

**Mr. Roy:** And charges, in fact, were laid and proceeded with in the courts?

**Mr. Gartner:** Correct.

**Mr. Roy:** With various dispositions. Some were acquitted and, according to you, some charges were stayed, although I don't know what that means. What about the other individuals in the case? Can you help me at all there? What was the decision made there? Was there a decision that no charges be laid against them?

**Mr. Gartner:** I would suggest there must have been. There must have been or else they would have been charged.

**Mr. Roy:** There must have been what?

**Mr. Gartner:** There must have been a decision made.

**Mr. Roy:** Not to charge them?

**Mr. Gartner:** Not to charge because of lack of evidence.

**Mr. Roy:** What was that lack of evidence?

**Mr. Gartner:** I don't know what it was. It might have been the time delay. I'm not sure. I haven't got the benefit of the report.

**Mr. Roy:** Am I being out of order in asking?

**Mr. Chairman:** No, I don't think you are. But I do think you are going to ask some more questions tomorrow morning. You've got a few minutes.

**Mr. Roy:** Can I ask the Solicitor General to inquire with his police officers and advise us as members of the Legislature here who are concerned about this case, why it was that there was a lack of evidence? What was the lack of evidence?

**Hon. Mr. MacBeth:** I don't know what the lack of evidence was.

**Mr. Roy:** Why don't you find out and tell me?

**Hon. Mr. MacBeth:** If you suggest I take Mr. X walking up the street and say, "Why didn't you lay a charge of street walking against him?" or something else, I simply say there's a lack of evidence.

**Mr. Roy:** That's very neat.

**Hon. Mr. MacBeth:** There are certain ingredients, as you know, that constitute a crime and they have to be proved. I don't need to tell you that.

**Mr. Chairman:** No, Mr. Roy is right. These estimates are to investigate the operations of the police department within reasonable

limits. In the situation that has been outlined by Mr. Roy, there are numerous individuals who ostensibly had some connection with butter. In the circumstances, I think you should think it over overnight, you and your people in your department, and see if you can come up with an answer tomorrow. You may simply say that for the protection of individuals or for any other legitimate reason you don't wish to give further disclosure to the matter. On the other hand, there may be an explanation of why these charges weren't laid.

**Hon. Mr. MacBeth:** He has for an undertaking, Mr. Chairman. I will undertake to discuss it. As far as undertaking to supply what the lack of evidence was in any particular crime, I am not so sure I can do that. The other point I am trying to make is that I gather the decisions were not made by the police even on these cases.

**Mr. Chairman:** If you can establish that overnight, then I think that is the end of the matter. But Mr. Roy is not satisfied that that is the case.

**Hon. Mr. MacBeth:** Maybe there is time for a five-minute hearing after the 10:30 hour tonight.

**Mr. Chairman:** Is that a deal?

**Mr. Roy:** It may be.

**Hon. Mr. MacBeth:** I'll try to get further information.

**Mr. Roy:** I am not that naive. I know you are dealing with butter and I realize that if the officer—

**Mr. Ruston:** It's pretty slippery and it melts.

**Mr. Roy:** It melts and is disposed of quite quickly.

**Hon. Mr. MacBeth:** All right. I will try to get you further information.

**Mr. Chairman:** We will come back after question period tomorrow.

The committee adjourned at 10:30 p.m.

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 Lawlor, P. D.; Chairman (Lakeshore NDP)  
 MacBeth, Hon. J. P.; Provincial Secretary for Justice and Solicitor General (Humber PC)  
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 Ruston, R. F. (Essex North L)  
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### Ministry of the Solicitor General officials taking part:

Bell, E. D., Chairman, Ontario Police Commission  
 Edwards, L. H., Internal Auditor  
 Gartner, L. R., Deputy Commissioner, Operations, Ontario Provincial Police  
 Graham, Judge T. J., Member, Ontario Police Commission  
 Mennill, J., Ontario Police College  
 Russell, A. A., Deputy Minister













Government  
Publications

# Legislature of Ontario Debates

SUPPLY COMMITTEE—2

ESTIMATES, MINISTRY OF  
THE SOLICITOR GENERAL

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

Friday, June 18, 1976

Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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A list of the speakers taking part in the debates in this issue of Hansard appears, in alphabetical order, at the back of this issue.

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## LEGISLATURE OF ONTARIO

### SUPPLY COMMITTEE

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FRIDAY, JUNE 18, 1976

The committee met at 11:05 a.m. in committee room No. 2.

#### ESTIMATES, MINISTRY OF THE SOLICITOR GENERAL (continued)

On vote 1505:

**Mr. Chairman:** We will come into session. I see a quorum. We're on vote 1505, item 1, special services. I think Ms. Sandeman might wish to say something.

**Ms. Sandeman:** Before we begin, Mr. Chairman, may I remind you that I think last Tuesday when we were looking at the votes connected with the coroner, we were promised that the mercury results would be tabled. Could I just give you a formal reminder that we haven't yet received those at the committee?

**Hon. Mr. MacBeth:** I'm glad you reminded me because I had forgotten that. Everybody sort of looks to the left here.

**Mr. Chairman:** Always looks to the left.

**Hon. Mr. MacBeth:** Who is on the end of the line? Would you undertake to follow that up with the coroner for me? I'd forgotten it, Mr. Chairman. We hope to have that on Monday.

**Ms. Sandeman:** I should have taken what he offered me at the time instead of waiting for the complete report. As the member for Ottawa East (Mr. Roy) isn't here, I wonder if the minister is going to answer his concerns anyway?

**Hon. Mr. MacBeth:** I think his concern, what we were dealing with at the end, was in connection with what he called the missing butter. He was concerned with the number of people who had been involved and no charges were laid.

I did a little phoning around over the evening and I understand that the Attorney General's office is preparing an answer to the question that he raised of the Attorney Gen-

eral (Mr. McMurtry) originally in the House. I don't know when the Attorney General will be back. In the meantime, I think Mr. Gartner has something in connection with it that he can tell, although if we were really to get into it we would have to reconstitute our investigation, as it were, if you want any additional information other than what Mr. Gartner is able to give you this morning.

**Mr. Gartner:** Mr. Chairman, I would like to correct the impression that I left, I think, when I said that our investigating officer had recommended charges against the mayor. This is not so. He prepared a court brief on the instructions of the Crown attorney on the whole involvement of everyone in the case. It was the decision of the Crown attorney at that time that there was insufficient evidence to charge the mayor. This was agreed upon by our detective inspector. He thought there was sufficient evidence to charge three other persons, as I mentioned.

They elected trial by judge and jury and were committed for trial but then re-elected trial by judge. Two of these people were acquitted. The third person had a stay of proceedings. The stay of proceedings is a process under section 508 of the Criminal Code under which an indictment cannot be withdrawn but the agent of the Attorney General can ask for a stay of proceedings on the case. This is what the Crown attorney did with the whole concurrence of our detective inspector.

As to the other persons involved, our man was not called into the investigation until three months after it had occurred. Mr. Roy had raised the point that it was a very simple matter in possession charges to ask the person how he got the butter. But there was no butter when our men arrived. It was a very difficult investigation for them. Evidently, many people got two or three pounds of butter. In the Crown's opinion, after hearing what the investigating officers had on the matter, there was insufficient evidence to charge these people.

I might add that in the newspaper article, it mentioned that there was a Constable Walker at that time who was involved. In our



investigation, Constable Walker did receive a case of butter which was given to him by the truck operators who had hauled the butter into the storage. When he found out that there was a question, he immediately returned the butter. This aspect of the investigation was also made known to the Crown attorney with the officer's statement and with the Crown attorney's opinion that he would not be charged with theft in that particular case. There were many others in the same boat.

**Mr. Chairman:** I think that answers Mr. Roy's basic question. He can pursue the balance of his question in the Attorney General's estimates; that's where it falls, from what you say.

**Mr. Gartner:** I know Mr. McMurtry has said in the House that he will prepare a reply to Mr. Roy on the matter.

**Ms. Sandeman:** Can I just comment on that? I think the general principle that we are discussing here, apart from this particular case, is very important and I am glad that it will be pursued. What I have to say relates to the perception of justice in this province by young people, particularly young people who are charged with possession of stolen goods, in many cases a small item, and convicted. They thus have a criminal record, perhaps at the age of 18, and the record is still with them at 23 when they are trying to establish themselves and so on. As a result, they feel very bitter at what they very often perceive as two systems of justice in this province.

They may not understand the technicalities of the butter or the evidence disappearing, but it isn't only in this case that young offenders from poorer backgrounds perceive that there seems to be a double standard in some sense. They are charged for simple possession of small articles and left with a criminal record, which they find hard to handle, where people in positions of public trust are not charged. There may be all kinds of good reasons why that doesn't happen, but I think it is extremely important that these things are pursued and made clear so that, to use the cliché, justice is not only done but seen to be done. This happens so often in so many ways, that somehow the wealthier, older, more secure citizens—maybe this is without justification—do not seem to end up in court, while the people who are thought of as young punks do. There is a great deal of bitterness, which I am sure you are aware of, in many cases; it may be drunk driving, possession or whatever.

I think it is desperately important that justice is applied equally to all. Whatever the police perception may be of the status of the offender, and all those things aside, we just can't tolerate in this province a system that seems to let some people off the hook and seems to be very heavy on others. I think this is what Mr. Roy was getting at, and not so much that the butter has disappeared.

**Mr. Gartner:** From my experience, I assure you that no matter who is involved, it is investigated to the full—whether it is a youth or a prominent citizen. I think this has been proven in the past in many instances. One thing is that the older person usually has more means for defence and better defence, but I agree with you in general.

**Ms. Sandeman:** Maybe the question of whether the older person gets a better defence is something we should bring up with the Attorney General, and not with you specifically.

**Hon. Mr. MacBeth:** I haven't been able to find out a great deal about the matter over the evening, but I do gather there was a colour of distributing perishable goods. I don't know enough about it to—

**Mr. Singer:** What does that mean, "a colour of distributing perishable goods"?

**Mrs. Campbell:** Was it yellow?

**Mr. Singer:** Shouldn't it have something to do with who owns them?

**Hon. Mr. MacBeth:** Well, certainly it should.

**Mr. Singer:** Whether they are perishable or not is really aside from the point.

**Hon. Mr. MacBeth:** In other words, I think there have been cases where, say, fruit and vegetables have been involved in an accident, and the owners consent; they say "Get rid of these things."

**Mr. Singer:** This owner was scarcely in a position to consent because he lost all of his butter, didn't he?

**Hon. Mr. MacBeth:** I said "colour"; I didn't say it was. But I think that maybe some people thought they were distributing it under a colour that it was with the consent of the owners.

[11:15]

**Mr. Singer:** I share the member's concern about this and I just wonder, when you get something like this, whether it would not be advisable to bring in somebody from another section of the province to do the investigation and the charge laying and so on, where there is even the faintest hint of local involvement. If this took place in the eastern part of the province, bring in investigating officers from the western part of the province and, if necessary, bring in another Crown attorney to have a look at it, because this is what causes great concern and appropriate concern.

**Mr. Gartner:** In this particular instance, Mr. Chairman, the duty of looking after the butter was delegated to an insurance adjuster, and he was one of the ones who was charged.

**Mrs. Campbell:** Oh no!

**Mr. Gartner:** But he was acquitted.

**Mrs. Campbell:** Could I just have a point of clarification in what was said about Mr. Walker? Mr. Walker got a case of butter, and did I understand you to say that he returned it?

**Mr. Gartner:** Yes he did.

**Mrs. Campbell:** To whom?

**Mr. Gartner:** To the transport depot where the butter had been taken. The butter was from Eganville. The accident occurred near Kemptville and arrangements were made for a trucking firm in Kemptville to take it into this depot.

**Mr. Erskine:** There was some confusion that the insurance adjuster had the right to dispose of perishable goods, because there had been an accident and there had been damage and they were perishables. The question of his right to dispose is probably the reason he was acquitted.

**Mr. Singer:** Mr. Chairman, on a point of order. I've been reading this resolution and I wonder if we're doing exactly what the House instructed us to do yesterday. I recognize it might have been difficult, but the House specifically said in its majority view that the standing committee on the administration of justice resume on its next regular meeting day—which I presume is today since this was passed yesterday—consideration of the estimates of the office of the Ombudsman, and surely this committee

shouldn't be in contempt of a positive direction of the House?

**Mr. Chairman:** I am surprised that you raise the issue, Mr. Singer. My opening sentence yesterday was deliberately done because of that situation. In other words, Mr. Maloney is giving a convocation address at Assumption College to the graduating class and asked specifically not to have the matter brought on today to give him the opportunity to complete what he considered a serious commitment, and to come on on Monday. I consulted again with the powers that be around here and we—

**Mr. Singer:** Which powers?

**Mr. Chairman:** The House leaders.

**Mr. Singer:** I can see we have three or four categories of law makers—those who pass statutes, those who pass resolutions, those who ignore them, and House leaders.

**Mr. Chairman:** Mr. Singer, I had hoped that the wording of that resolution would have been altered in the process, but there you are.

**Mr. Singer:** You know how these things come about.

**Mr. Chairman:** The printers are in between sometimes.

**Mr. Singers:** Yes, yes, it's really the printers who run the province.

**Mr. Chairman:** Mr. Ruston, do you want to say something?

**Mr. Kennedy:** When do you have a regular day on this? We haven't had a regular day around here for a long time.

**Mr. Singer:** Are you saying that the resolution—

**Mrs. Campbell:** Is this irregular today?

**Mr. Kennedy:** How do we define a regular day?

**Mr. Singer:** Your House leader, who apparently is the draftsman of this, or at least the initiator, doesn't know how to write a resolution. Is that what you're saying?

**Mr. Kennedy:** He's taking an exaggeration with the definition of the word regular. Maybe we should redefine it.

**Mr. Singer:** Maybe you should write things that are meaningful.

**Mrs. Campbell:** That would be a switch.

**Mr. Chairman:** Does this item carry?

**Mr. Singer:** No, I suppose at this point I want to hear from the deputy commissioner the progress that we're making in relation to organized crime, syndicated crime; how well is your intelligence unit working, is there more illegal gambling, purveying of liquor—all the associated things?

**Hon. Mr. MacBeth:** Assistant Commissioner DuGuid is the man in charge of that and he is right here. I think you might get it first hand from him.

**Mr. Singer:** What I'm getting at is as complete a history of it as we can get without embarrassing any usefulness of ongoing investigations. I don't think any of us want to do that, but we certainly would like to be brought up to date about what your immediate concerns are and the extent to which we're coping with it and the extent to which some of these items are still troublesome.

**Mr. DuGuid:** Historically, the force has had a criminal intelligence operation since the early 1960s. In the early 1970s they joined with a number of major police forces in the Province of Ontario to form Criminal Investigation Services Ontario, CISO. This was an organization dedicated to the suppression of organized crime and its many facets. Shortly after that the province joined with other provinces and major police organizations in Canada to form CISC, which is Canadian Intelligence Services Canada. There is a central repository on major organized crime figures in the national capital.

The various provinces have provincial repositories which all police forces contribute to. The various police forces, in turn, with their intelligence units make projects of those persons in their community, in their area of jurisdiction, who are suspected of having or being involved in organized crime.

I suppose it might be proper at this time to give you what may well be a very simplified definition of organized crime. It is not the Mafia family type of thing we are talking about. The general definition used by intelligence today is where two or more persons are involved in criminal activity on a continuing basis, and I think the phrase, "on a continuing basis," is really meaningful.

We are very much concerned with loan sharking in the province. Although this is a basic urban phenomenon, we are working in joint forces operations with other major agencies. There is residual effect of the loan sharking. As this is basically an urban activity,

the extortion, the beatings, and the murders related to it are really those matters where we become involved.

There are a number of other areas of organized crime, such as bookmaking, pornography, major frauds, organized auto theft rings and drug activities. We have successfully prosecuted in a number of these areas. We are maintaining and contributing to the provincial and national repositories on intelligence. We are working on joint forces operations with other police agencies, some with one department and others with two and possibly three. We are working with Immigration and we're working with the Department of National Revenue. This is one of the areas which over many years have been one of the most successful methods of dealing with organized crime figures who insulate themselves from the day-to-day activity.

I'm wondering is there anything specific, Mr. Chairman?

**Mr. Singer:** Yes. You've given us the reference. Could you deal with each one of these, loan-sharking, bookmaking, pornography and drugs? On the drug one, I've noticed from newspaper reports that there has been some recent and rather dramatic success at least in arresting and charging and seizing illicit drugs. Does the intelligence group feel it is better able to bring that under control now?

**Mr. DuGuid:** I would say with respect to drugs that we are merely scratching the surface. In our own organization we do have 35 highly trained drug officers working in joint forces operations throughout the province with the Royal Canadian Mounted Police and we're quite successful in these operations. Our field personnel at the local level, in the districts and detachments, are also extremely successful in drug operations of the smaller street operation. The JFOs are usually concerned with major traffickers. I don't think we're curtailing it at all; the profits are too great.

**Mr. Singer:** Even what we read is only nibbling at the surface then?

**Mr. DuGuid:** I would say yes, sir.

**Mr. Singer:** I think most people feel—certainly I feel—this is one of the most pernicious things that goes in our society. Is there any way in which you can be assisted with more personnel, better equipment, that sort of thing? Are you short of anything or is it just something that you're doing your best at and you're going to keep on?



**Mr. DuGuid:** I think in time of constraints, Mr. Chairman, we're attempting to work within the budgets that we're allowed. I don't suppose, if you ask any police officer if he has enough money for equipment and personnel, that he would say he's satisfied with what he's got in these times.

**Hon. Mr. MacBeth:** I'd be disappointed if he didn't.

**Mr. Singer:** It's a very hard thing to try and pin down. I recognize that the commissioner, talking to members of the Legislature, has to be constrained in talking about constraints. I'm still very curious though as to how this thing works.

One of the significant things that he said is that even though all this activity is going on and these seizures have been made and many people charged in the last few weeks, they're still just nibbling at the surface.

**Hon. Mr. MacBeth:** It's disappointing, but—

**Mr. Singer:** How do we get at it in a more efficient way? Have you any thoughts?

**Mr. DuGuid:** I suppose, Mr. Chairman, that it would be possible, if it weren't for these times of constraints, and we had the personnel and the equipment, that we could perhaps make a dent in the activities.

Certainly, the federal customs people are having the same problem of constraints—the difficulty at international airports; border-crossing places between the United States and Canada; ships coming into the country. We know that they don't have adequate personnel to check all these arrivals and departures. This certainly is one of our great problems.

We have been reasonably successful in curtailing the speed — amphetamine — trade. We've successfully broken up about four major laboratories in the last couple of years, and that was one of the more lucrative things. Those that were in existence here were supplying the northeastern United States through some of the renegade motorcycle groups which we have in the province. So it's not a one-way street; it's not all coming in, it's being manufactured here and going out.

**Mr. Singer:** Good local industry.

**Hon. Mr. MacBeth:** Helping the balance of trade.

**Mrs. Campbell:** Labour-intensive.

**Mr. Singer:** I want to go on to some of these other aspects the commissioner mentioned. If somebody else wanted to talk on drugs—

**Hon. Mr. MacBeth:** I'd just like to ask the commissioner a question myself in connection with it. I hope, if it's a case of more men, within reason—as you say, there are always constraints, we could always use more—but if it is a case of more men or women needed that can be put to a direct purpose, I hope he makes sure he lets me know that through the commissioner.

But also I was wondering, in view of Mr. Singer's question, whether the restraints on wiretapping, for instance, are unduly restrictive of what you'd like to do or if there are any other tools of the trade that might be used?

[11:30]

**Mr. DuGuid:** I feel personally, as do most law enforcement officers in this country and the United States, that the restrictions imposed on wiretapping have curtailed our activities dramatically.

We really don't find that it is too difficult to live within the legislation. The problem is the matter of notification 90 days after termination of an investigation of an organized crime figure. That is, if you aren't successful in prosecuting him, then you have to notify him and let him know that you have been tapping his line—and then he becomes totally wary and changes his activities.

**Mr. Singer:** Maybe he'd go so far as to leave.

**Mr. DuGuid:** Unfortunately, we haven't had that experience, Mr. Chairman. If I thought that were the case, then I'm sure we could live with that type of activity.

**Mr. Singer:** I note the minister's insertion of wiretapping in the framing of the question which brought forth what I anticipated was the appropriate answer.

I would go along with him quite readily for supplementary estimates for more personnel to get at the drug trade. I want to state very firmly my opinion about wiretapping. In my opinion the present federal regulations, and even the amended ones that are coming, make some reasonably good sense in that no person should have a free and uncontrolled hand in wiretapping.

**Hon. Mr. MacBeth:** I'm not suggesting that, but you were asking about tools of the trade. I was looking for other possible tools,

or if there was a lack of co-operation with US people or international authorities—anything that might be of interest.

**Mr. DuGuid:** That is rather interesting because at the present time, with legislation on freedom of information in the United States, this has effectively curtailed the exchange of criminal intelligence information among law enforcement agencies in that country. It has also curtailed, to a degree, our official liaison at some levels in the United States and Canada. The US freedom of information legislation, as I understand it, relates in part to a person who has a record. If one inquires about a person to a US agency, they must then inform that individual that there is another agency inquiring about them and what they are inquiring about. It pretty well precludes the transmittal of intelligence information.

**Mrs. Campbell:** I think I'd like to express my concern in this area. Following what has been said before, there is a very definite impression that children are being widely used in this game of drugs. They seem to be very capable of being pursued and they seem to get themselves into the courts, and you have the panoply of the RCMP and the family court and the rest of it. I wonder if we could have some indication as to how many children or what your experience is in the use of children in this miserable trade?

**Mr. DuGuid:** I don't have those statistics available to me at the present time. Certainly, there are many children involved in the drug trade, both actively as pushers, street people, within the schools and as users.

**Mrs. Campbell:** The thing that bothers me is that—and I'm sure this is unfair—there is a certain perspective that sees the child as the one who is pursued with no real attempt, as the public sees it, to get behind the child to the person who is using them in the trade.

**Mr. DuGuid:** The activities of our joint forces operations at 19 locations throughout the province are dedicated exactly to this situation of not getting the user, the street people, but getting at the major traffickers. It's merely a matter of priority. There is so much of it that the RCMP are primarily dedicated to the international aspect and our force in the province is dedicated to the major traffickers.

**Mrs. Campbell:** I guess perhaps this bothers me. I can recall a child in grade 8 in the courts and his graphic description of the way

in which he was lured into the business. I can recall, being a very naïve judge, asking him where he got the money. He said: "Oh, Judge, you gotta be kidding. I get mine free to get others involved." Do you work with the youth bureau; do you pursue in any way the activity? It is the age-old question, I suppose, that we seem to pursue the prostitute and we don't pursue anybody behind the prostitution and drugs.

**Mr. DuGuid:** I am not really in a position to answer that question as most of that particular type of activity takes place within an urban centre which we do not police. Our JFO operations certainly work within the urban areas as a joint force operation with the RCMP and with members from the urban police force. If the matter is before the courts or in the community where we have a JFO, a member of the joint forces operation who has jurisdiction there, I'm sure works with the juvenile courts and family courts on such things as that as do our people in the suburban areas.

**Mrs. Campbell:** I was not aware of that activity by the provincial police. If we are not aware of it, I would urge that there be a more positive experience before the next estimates. This is something that requires all of the united forces in my view. Since the urban centre as opposed to the suburban centre is one under greatest pressure in my experience, I'm a little disappointed that the answers are not a little more specific. I find it one of the most contemptible aspects of this whole rotten business.

**Hon. Mr. MacBeth:** Certainly it is a police problem. I think what the commissioner is saying is that the provincial police don't come into it as much as the Metropolitan Toronto police or the Hamilton-Wentworth police might come into contact with it now. That doesn't mean that I shouldn't have that information or be able to get it. The Police Commission might have had, but I don't think they would either. To answer your question I think the only way we would get more details is by having somebody from one of those forces here who would have more direct contact with the actual distribution points amongst the children.

**Mrs. Campbell:** I also wondered whether perhaps in this area, so far as children are concerned, whether we are thinking in terms of electronic surveillance and not wiretapping; I'm not talking about wiretapping. I am wondering if anyone can give us any clue as to whether or not one uses electronic surveil-

lance of other types in the pursuit of these children.

**Mr. DuGuid:** Mr. Chairman, I am not too sure I understand the question. Electronic surveillance certainly would imply an authorized wiretap, an authorized room bug, an authorized or consent form of wiring with a body pack, this type of thing. In my experience we have never used a juvenile to perform any of these duties as perhaps an agent provocateur.

**Mrs. Campbell:** That wasn't the question. I have had the advantage, I suppose one can call it that, of having been present at a demonstration by the Metropolitan Police of various electronic devices, many of which did not in any way require wire at all. It was a simple kind of surveillance that one might do from an automobile parked in front of a house.

What I was wondering was not whether children were used for this purpose but whether some such devices were used in the apprehension of children. I presume the answer is we wouldn't know that here because it would be entirely within the function of the Metropolitan Police and there's no real liaison with the provincial police.

**Mr. DuGuid:** Mr. Chairman, the last statement, there is no liaison with the Metropolitan Toronto Police —

**Mr. Chairman:** No real liaison.

**Mr. DuGuid:** It's a daily, a 24-hour-a-day, working arrangement on the street with our people, with the RCMP and with Metropolitan Toronto.

**Mrs. Campbell:** Only in the suburbs?

**Mr. DuGuid:** No, right in the city of Toronto. That is the joint forces operations I have been referring to. Our own people in the field, what we call the field locations, in the 17 districts in the province at the detachment levels are also involved in drug enforcement.

**Mrs. Campbell:** I'm sorry. I must have misunderstood an earlier answer because I thought I had been informed that there was no knowledge in this ministry of what liaison there was in the city of Toronto as opposed to the suburban areas. Was it only with reference to a liaison with the youth bureau? Was that what confused the answer?

**Mr. Chairman:** Specifically in the area of children—drug addicts, drug traffickers and what not. That was Mrs. Campbell's original question and I did understand, too, that—

**Mrs. Campbell:** There wasn't an answer.

**Mr. DuGuid:** There were several questions. Perhaps I misunderstood, Mr. Chairman. I am very sorry if I misled the committee. Would you phrase the question again, please?

**Mrs. Campbell:** I believe that the original question was: Do you have any liaison with the youth bureau in the city of Toronto with reference to the juvenile offender in the drug trafficking business. I didn't word it that way.

**Mr. Chairman:** Will you forgive me if I reword it slightly?

**Mrs. Campbell:** Yes, I will.

**Mr. Chairman:** I would like to hear the answer, too.

**Mrs. Campbell:** I want to get the answer.

**Mr. Chairman:** What is the number or volume of young children of which you have knowledge—of your own knowledge, wherever you get it from—engaged in trafficking or engaged in the drug trade?

**Mr. DuGuid:** I don't have those statistics available.

**Mrs. Campbell:** That's what he said.

**Mr. Chairman:** You have statistics, though?

**Mr. DuGuid:** Yes, there are statistics.

**Mrs. Campbell:** Would it be possible to make that available?

**Mr. DuGuid:** Yes, Mr. Chairman.

**Mrs. Campbell:** Following that, you do have a force, you do have people within the city of Toronto?

**Mr. DuGuid:** Yes.

**Mrs. Campbell:** Could you tell us, without in any way divulging something which we should not know publicly, with whom—you say they liaise with the Metropolitan Police. Are you saying that you don't know in what areas they have liaison?

[11:45]

**Mr. DuGuid:** We have, in the city of Toronto, joint forces operations, where our drug officers work directly and with, on a daily basis, 24 hours a day, members of the Metropolitan Toronto police drug squad and the Royal Canadian Mounted Police drug squad.

**Mrs. Campbell:** So those officers who may have great knowledge of the use of children in this area, not being attached to the drug



squad, would not then have any liaison with you?

**Mr. DuGuid:** All specialized persons working in drugs in the Ontario Provincial Police come under me.

**Mrs. Campbell:** May I try once more? I'm sorry, I seem to be putting my questions very badly, Mr. Chairman. The youth bureau is not a bureau which is specifically designed to deal with drugs. The youth bureau has been designed to deal with children, and, incidentally, has done a magnificent job in the city of Toronto, I'll tell you that. But, in the course of their duties, they are very much aware of children being used in drug trafficking. Do you have any input from that youth bureau in your joint operations?

**Mr. DuGuid:** Mr. Chairman, I would have to repeat what my earlier answer was, that the officers of the joint forces operation—and referring to Toronto that would be the Metropolitan Toronto drug officers—would have the liaison with that particular youth bureau in the city of Toronto. They would be the contact, they would be the liaison with the youth bureau in the city of Toronto.

**Mrs. Campbell:** Perhaps when we get the statistics I'll be able to understand the answers better.

**Mr. Singer:** Before I get into a series of questions about some of the specifics that the commissioner mentioned, the intelligence operation for the JFO, is that a common one? I presume there's an OPP intelligence operation. To what extent is a continuing OPC intelligence operation? Over the years there's been a great deal of dissatisfaction expressed about the OPC doing it and the extent of their role. Could you bring me up to date on how it's working now; intelligence operations with the police and the Police Commission and the joint intelligence operation?

**Mr. DuGuid:** As the Ontario Provincial Police and the Ontario Police Commission refer to joint forces operation, that is one in which they provide some funding, either in equipment, office accommodation, cars, and where they have the controlling supervisor co-ordinator. The joint forces operations run among police forces—any of those in which we are involved at the present time, with the exception of London; there's a joint forces operation in London which is co-ordinated by the OPC—all others that we're involved in they have nothing to do with. We have an ongoing intelligence operation in the

OPP, as do 30 or 40 other major police forces in the province, and the joint forces operational operation, if you want to call it, excluding the OPC, do have the support of the intelligence units of those police forces involved.

**Mr. Singer:** Just to make sure I understand you, you used the phrase "excluding the OPC." When we get Mr. Bell here I'm going to ask some interesting questions.

**Mr. Chairman:** He had a meeting to go to.

**Mr. Singer:** Has he come and gone?

**Mr. Chairman:** He has come and gone.

**Mr. Singer:** And I missed him? Oh dear.

**Hon. Mr. MacBeth:** He was disappointed, Mr. Singer.

**Mr. Singer:** I'm disappointed that I missed him too. That's a pity. Let's try to get the information here. To what extent do you use or is there available to you the intelligence operation of the Ontario Police Commission? Or does it bother you at all?

**Mr. DuGuid:** Mr. Chairman, the Ontario Police Commission do not have intelligence operations. They're a depository for intelligence in this province. They have several analysts, I understand.

**Mr. Singer:** All that rather weird and comic-book effort they carried on for a few years has disappeared; now all they're doing is gathering up information and analysing it? Am I correct in saying that?

**Hon. Mr. MacBeth:** That's my understanding—

**Mr. Singer:** I don't necessarily want the commissioner to comment on whether it was a comic-book operation—

**Hon. Mr. MacBeth:** It is a depository for intelligence.

**Mr. Singer:** —but it sure was.

Interjection.

**Mr. Singer:** Creeping through the grounds of an American governor's estate to locate somebody or other—there were beautiful stories about that. You're telling me that doesn't exist any more, eh?

**Mr. DuGuid:** Not to my knowledge, Mr. Chairman.

**Mr. Singer:** All right. Tell me about loan sharking? Does that present a pretty serious problem in Ontario?

**Mr. DuGuid:** Yes, it does, sir.

**Mr. Singer:** Do you get a feeling it's controlled from south of the border?

**Mr. DuGuid:** I don't believe it's controlled from south of the border. I think we have people here with sufficient talent to control it.

**Mr. Singer:** How do you go at it? In general do you get at these people who get these exorbitant rates of interest and do the beatings?

**Mr. DuGuid:** Unfortunately, there has been little or no legislation to curb loan sharking. It's the spinoff you get from loan sharking—the beatings and things like that—where you come into the picture. My understanding is that the federal Department of Consumer and Corporate Affairs has prepared draft legislation which finally has some teeth in it; that would go a long way in assisting in the prosecution of those involved in loan sharking. It's seldom you ever get a complaint about loan sharking. The people go of their own volition, either those wanting to finance crime or those involved in debts to gamblers or bookmakers. It touches all levels of society. It's most common among the working class, but it certainly touches the professional class also. This is documented.

**Mr. Singer:** And there's a lot of it?

**Mr. DuGuid:** Yes, I feel there is.

**Mr. Singer:** I wonder if the minister could put on his other hat for a minute, the Provincial Secretary for Justice hat, and tell us what the whole Justice concept is trying to do about it. I'd be interested in hearing about that, since suggested federal legislation apparently is coming in. Certain things that have come to my attention have bothered me about this, and certainly the commissioner is very concerned about it. Are we able to do anything on our own in twisting the federal Justice arm? Are there provincial statutes of some sort that could be of some assistance, recognizing that we haven't got the power to deal with criminal law?

**Hon. Mr. MacBeth:** Mr. Chairman, I don't know anything that we can do, other than what we are doing and trying to do it on a greater scale. I'd be pleased to hear from any members here, or from the police personnel, if there is anything that we could be doing.

I'm sure the federal government is just as seriously concerned with it as we are.

**Mr. Singer:** I find it significant that it was mentioned here. The commissioner said he is concerned that there is a lot of it and that he and other police forces and senior officers are concerned that they haven't got sufficient legislative clout. I don't know what the legislative clout should be, whether it has to be federal or whether there cannot be some provincial, but wouldn't it be a useful exercise that the Provincial Secretary of Justice could embark upon? Perhaps some aspects of it should be discussed privately, but shouldn't the provincial secretariat embark upon that and bring before them these gentlemen and other representatives who were knowledgeable and see what, if anything, we can do?

**Hon. Mr. MacBeth:** I might ask Mr. Russell if he knows of a previous discussion in connection with it. In the time I have been in the office, I must admit that the secretariat, other than brief discussions of the problem, has not had any study in connection with loan sharking, as such. We've talked a little bit about pornography and things of that nature.

**Mrs. Campbell:** Hockey violence too.

**Hon. Mr. MacBeth:** And violence. But loan sharking as such has not been studied.

**Mr. Singer:** Ian Paisley is very important too.

**Hon. Mr. MacBeth:** Has there been anything previous, to your knowledge, Mr. Russell?

**Mr. Russell:** There is a federal Act—I forget the name of it; it might be the Small Loans Act—where they can control the interest rate under a loan of \$1,500. If the loan is over \$1,500, the way the legislation is there is no control.

**Mr. Singer:** That's the Unconscionable Transactions Relief Act.

**Mr. Russell:** Ottawa was talking about changing that so that they could control the interest rate above it. I think that would be an answer. Right now, if it is over \$1,500, there is nothing you can do. That's all I have heard about it.

**Mr. Singer:** That's a pretty pallid thing.

**Mr. Chairman:** Mr. Singer, I am speaking somewhat flippantly, but do you think that

we can get Mr. Handleman to license them all?

**Mr. Singer:** It's probably a good idea. At the same time we are getting statistics about bookmaking and how much the take was from illegal bookmakers.

**Hon. Mr. MacBeth:** I don't imagine any public campaign to encourage these people with complaints to come forward would do very much. I don't know whether the assistant commissioner has any thoughts about what we can or should be doing.

**Mr. DuGuid:** We have just become aware of some of the activity in the Province of Quebec with the police forces there. They are using the Small Loans Act. I don't know how they are getting the customers to come forward to stand up and be counted. What they have done is they have managed to get a couple of loan sharks and they have got all their customers and charged them with separate counts. I believe in some cases they have had up to 300 charges laid under the Small Loans Act. They have been getting penalties of perhaps \$250 to \$300 on each particular one and building them up into very large fines and making the loan shark pay back that level of interest which has been paid over and above what is allowed by the Act.

We have just received this information. We are looking at it with the thought that possibly until the federal legislation is passed this may be a way of getting at them.

**Mr. Singer:** Let's talk about bookmaking for a minute. Is there a large illegal bookmaking enterprise going on in Ontario?

**Mr. DuGuid:** Yes, sir.

**Mr. Singer:** If we had legal offtrack betting, would that have any effect on it, in your opinion?

**Mr. DuGuid:** In my opinion, offtrack betting will not presage the demise of the bookmaker for many reasons. They offer private customer service, if you wish, credit betting and many forms of betting which are not available through the tracks which the dedicated bettor is interested in. The experience in the United States has not substantiated that there will be an improvement in the illegal bookmaking situation when the offtrack betting comes into existence.

**Mr. Singer:** You don't think it would substantially reduce the number if offtrack betting existed, say, on the horses? Certainly if

people wanted to bet on the baseball games or the hockey games or whatever else is going on, to some extent that would continue. But wouldn't it bring down the number of bookmakers we have operating here?

[12:00]

**Mr. DuGuid:** I believe that my statistics, off the top, would be correct in that horse betting accounts for only approximately 10 to 15 per cent of a bookmaker's action and the rest is sports action. I'm sure that offtrack betting, whether government subsidized or operated, couldn't get the line which comes out of Nevada—invariably comes out of Nevada—for all sports action and I'm afraid the government would wind up a big loser in sports action.

**Mr. Singer:** An interesting point of view.

I recall when this matter was being reviewed by the justice committee of the House of Commons several senior RCMP officers gave very strong opinions that the creation of legal offtrack betting would go a long way to cutting down on bookmaking activities in Canada. Has there been any intelligence review of this or is it a difference of opinion between those officers and you?

**Mr. DuGuid:** There has been considerable review of this particular activity and, by our force, very recently. It is the opinion of those persons who were contacted in the Royal Canadian Mounted Police and in major forces that offtrack betting would not be reduced. I would say that if it was only horse action in all likelihood you could reduce it but when you stop and think that in bookmaking 85 per cent is sports action, I couldn't see a significant reduction.

**Mr. Singer:** Where do you get that 85 per cent figure? Is that from some of the evidence which has come out in recent hearings on charges?

**Mr. DuGuid:** That is my understanding.

**Mr. Singer:** Is there a statistical analysis, say, of the last 100 convictions? Some of them have a pretty big daily handle. Since those figures have been discussed in court and are, by and large, a matter of public knowledge it might be useful to this committee to have some kind of an analysis of those records.

**Mr. Russell:** We haven't got it here, Mr. Singer. It might be in the Attorney General's ministry, I'll check it out. Offtrack betting has been pretty well their ballgame for a while but I'll check it out. We haven't got it



unless the commissioner has. If it's in the courts, they might have made a breakdown.

**Mr. Singer:** There's another thought for the minister with his other hat on. Some of these things have got into the Attorney General's office from where, hopefully they will emerge some time. This is the first time since we've had secretariats that the Solicitor General has been the Provincial Secretary for Justice. Usually it has been the other way. Maybe you should start flexing your secretarial muscles if you are still going to have that title and bring us up to date on offtrack betting.

**Hon. Mr. MacBeth:** Admittedly, the suggestions you are making are good suggestions. We have been flexing our muscles on some things in the secretariat but it doesn't happen to be in these two fields. But I'm not saying that these fields you are talking about are not important fields.

We have spent a lot of time in the secretariat on Consumer and Commercial Relations and some of the civil changes in the Attorney General's area such as family law and things of that nature which have a certain public interest and priority as well. That is not to say they are more important than these criminal aspects which you are now discussing but generally speaking we have regarded the criminal aspects as matters for Ottawa and the liaison there has been with the Attorney General.

**Mr. Singer:** All right. Pornography was something else that was mentioned which is being currently commented upon in the press, including the prosecution of Macmillan for publishing the book, "Show Me." Frankly I get the feeling that that's an awful lot of effort that's going to amount to very little whether there is a conviction or not. What concerns me much more are these cheap, trashy magazines and the films. How are we getting at that?

**Hon. Mr. MacBeth:** You mentioned the one that's presently before the courts. That seems to be one of the problems with any pornography charges these days, that they are such technical charges they are before the courts so long. Any time the police want to lay any charges for pornography it ties up so much personnel for such long periods before the courts, because it's a matter of opinion in so many places.

**Mr. Singer:** I have to question the wisdom of laying that charge in the first place. They are talking about a book that sells for \$14. There are a lot of people who are going to

give evidence for the defence who are going to say it's a fine educational book. There are a lot of people who gave evidence for the Crown who say it's a terrible book and it is corrupting everybody who comes in contact with it.

In due course, the judge who is hearing it will say, "Yes, it's a good book," or "No, it's a bad book" and Macmillan will be fined. Macmillan is not a poor company and if the decision goes against it, it will probably want to go on to an appeal. I don't know really what we produce. Whether Macmillan is to be convicted of selling a pornographic book or not, that book is not a great danger. If there is a danger it lies in these cheap, trashy magazines and these terrible films that are about. Wouldn't it make much more sense to seize some of the films and lay charges under the Criminal Code?

**Hon. Mr. MacBeth:** Let me just say about some of the trashy magazines that you are talking about, I know the kind you are talking about—the ones with perversions of some sort set out in them.

We were talking about the coroner's inquest, the inquest up in Ottawa in the school shooting there. It would indicate that some of the cause of that—and I'm sure not the basic cause, probably—was the kind of pornography this young lad had been reading. This is the element that I think has been in the past controlled by the crime syndicate sort of people. I think we've got away from that and there's some development at the present time from the distributors themselves that they would like to be a self-regulating body. There was something in the news to that effect. It didn't sound very impressive.

**Mr. Singer:** Yes, I saw it this morning.

**Hon. Mr. MacBeth:** I had one group of distributors come in to see me because they were concerned with the lack of uniformity. In other words, they might check with somebody in the Metropolitan Toronto police who would give them an opinion that "Yes, we don't see that you would be prosecuted for this," and yet the chief of police over in some other municipality might say, "Yes, we are going to get after you."

It presented a real problem, so they themselves were asking for some kind of censorship or some place where they could go and get an opinion that this was okay or not okay, and after that they would be able to publish it without fear of prosecution or embarrassment of any sort. Surprisingly, these were people who considered their standing in the community and they weren't what you

would call shady or underground operators. They wanted to retain their respectability, because it was also just a sideline with them, it wasn't their whole operation.

The Attorney General has expressed some views in connection with it. I think he is concerned with the same kind of publication that you are concerned with. As to what the police can do about it and are doing about it, I'll go back to the commissioner.

**Mr. DuGuid:** Mr. Chairman, if I may say a few words, we find that almost 95 per cent of this material is produced in the United States and the majority of it, as the minister has suggested, is controlled by organized-crime-type activity. We presently have a joint forces operation with Metropolitan Toronto, we have assigned personnel to it and it has been an ongoing investigation for some months now. Presently we have a total of 20 charges laid in the city of Toronto, where the major distributors are. We have seven companies charged and 13 citizens; seven Canadians and six US citizens. We have three persons committed to trial in the Timmins area on the same matter of conspiracy to distribute obscene material. We're attempting to give a standard interpretation in police activity regarding pornography of the type that was mentioned—the cheap filth that is becoming very prevalent.

**Mr. Singer:** What about the distribution of private movies available for rental, and so on? There is some question about the efficacy of the censorship procedure at the moment but it seems to me that these films are probably bad enough to justify laying criminal charges under the existing sections of the Code.

**Mr. DuGuid:** These films are also coming under the scrutiny of this particular joint force operation.

**Mr. Singer:** Are there any charges presently? I've seen advertisements for stag movies, inviting you to phone such-and-such a number. They get fairly bold if the police don't watch them too closely.

**Hon. Mr. MacBeth:** Are you phoning those numbers?

**Mr. Singer:** No, I'm not; but I'll send them to you if you want.

**Hon. Mr. MacBeth:** I was asking the commissioner if you were phoning those numbers.

**Mr. DuGuid:** A great many of these films being advertised are coming into our possession and, really, they're a total ripoff of the public. They obviously think they're going to get something that they're not getting at all. The hard-core ones are not being advertised. Really, that's what this joint force operation is all about—hard-core pornography.

**Mr. Chairman:** They should lay charges for counterfeiting.

**Mr. Singer:** False advertising.

**Mrs. Campbell:** I just have a couple of quick questions on this. Have we investigated, either through this ministry or in conjunction with any of the others, the whole system of distribution of magazines? I am concerned that some of the people who deal in magazines are in a position where, in order to get distribution of magazines that they want, they are required to take some of this garbage and then they become the victims and they are charged. Of course, I suppose they could take their losses and stick the stuff in an incinerator. But what do we do about that kind of control of distribution?

**Hon. Mr. MacBeth:** That is one of the items, as I say, that is before the policy field at the present time. We haven't finished our review of the matter. It is part of the problem I was raising earlier and is tied up with censorship of some sort. It's up to the Ministry of Consumer and Commercial Relations—the point which you were making—as far as control of distributors being forced to take certain magazines. I think the industry itself is realizing the condition it's in and is trying to take steps to regulate itself; which would be a happy way to do it.

Maclean-Hunter, as you know, are into distribution of magazines. I have hopes that, with their help, it will be curtailed. But we are looking at it and it's an ongoing study.

**Mr. Chairman:** The trade-off of Maclean-Hunter against Time magazine.

[12:15]

**Mrs. Campbell:** There is one question I have, following the discussion on electronic surveillance devices. Is the minister aware that there is openly advertised in this province equipment which is not a final product but which anyone with any reasonable knowledge in the field can convert into this sort of device? Is the minister concerned about this and has he had any kind of discussion with any of the other ministries within the Justice field about this kind of operation?

Should we be able to stop the open advertising, for example, of this sort of equipment? I really don't know how to convert it, so I want to make that clear. But it's been demonstrated to me by knowledgeable people that this whole business is just a farce.

**Hon. Mr. MacBeth:** I've seen the advertisements that you refer to where you can put some listening device against a hotel wall or something and hear the conversation in the other room—

**Mrs. Campbell:** It's more than that.

**Hon. Mr. MacBeth:**—and look into rooms with some kind of night vision and all the rest of it. I've seen the advertisements for them. I can't say we've had anything in the police field, any discussion on that, nor have I had any complaints come to me about them.

**Mrs. Campbell:** I think the difficulty is that people wouldn't know to complain. If it's used in a motor vehicle outside your home, you're probably not going to know what's going on.

**Hon. Mr. MacBeth:** I don't know how you can stop the sale of them, except under the Criminal Code in some way. I don't think there's legislation against them. That's getting back to the question you were asking earlier. Do you know about these devices that we're referring to now and whether there is any legislation stopping them at the present time, Mr. DuGuid?

**Mr. DuGuid:** I'm aware of the devices but I'm not aware of any legislation.

**Mrs. Campbell:** Then perhaps that's something that could be the subject of further discussion because it bothers me. There are knowledgeable people in Toronto and I would be happy to refer them to the minister if it would be helpful. It scares me.

**Hon. Mr. MacBeth:** Would it not be a federal matter rather than provincial, not that I'm saying we shouldn't make representations to Ottawa. I've taken the attitude that I've got enough problems in my own ministry in things that we can do something about without getting into matters which properly belong to Ottawa.

**Mrs. Campbell:** I just thought that perhaps in the advertising situation it could be provincial under Consumer and Commercial Relations.

**Hon. Mr. MacBeth:** On the other hand, if the products are legitimately sold, there's no

reason why we should stop the advertising of them if they're legitimately available. Is there any comment on that?

**Mr. Erskine:** The problem is that every radio electronics parts department in Canada has legitimate electronic parts that are available for repairing televisions, radios and all sorts of other electronic gadgets that could be converted for this use. It isn't a question that the equipment isn't available. It is available for legitimate reasons.

**Mrs. Campbell:** It's like glue, I suppose. Glue is sold legitimately but sniffing is another problem.

**Mr. Chairman:** You can sniff it.

**Mrs. Campbell:** Yes, legally you can sniff it; that's the problem. I just fly kites.

**Mr. Chairman:** No, I'm not telling you to sniff it. I'd like to cut in, short and sharp but probably not to the point. One comment has to do with page 22 of the ministerial report having to do with subversive elements in the province. I suppose you have to exercise a certain degree of discretion. Before we get started, would the Western Guard be a subversive element, if I may mention the name? Would you regard that kind of entity as subversive?

**Mr. DuGuid:** I suppose this type of entity, and particularly with respect to any criminal activity of that type of entity.

**Mr. Chairman:** You've separated off the subversive element from the general intelligence investigations, in the special segment of the ministerial report. What would your definition of subversive be? Would it necessarily have treasonous connotations?

**Mr. DuGuid:** I suppose really what we're looking at are those persons who would advocate the overthrow of government at any level by other than democratic means, by the use of violence. It is the criminal connotation we are concerned with.

**Mr. Chairman:** How many in the OPP are assigned to that particular task?

**Mr. DuGuid:** Six men. That is the security branch which has many functions. One of the functions is the security clearance programme. One of the functions is supervision of the OGPS. One of the functions would be the security clearing of, say, this room, if you were holding a private government meeting and you were concerned that this



room might be bugged. We have a section which performs this function and has for all three parties of this House.

**Mr. Chairman:** We are being bugged.

Interjections.

**Mr. DuGuid:** I think we have all consented.

Also this particular group of people has responsibility for the security of visiting persons of importance. They are also at the present time heavily involved in the Olympic security. They are making preparations for the visit of Her Majesty this summer. That type of—

**Mrs. Campbell:** When?

**Mr. Chairman:** Are there serious elements of subversion in the sense that we are using it—treasonous subversion—in the province?

**Mr. DuGuid:** Yes, there are, Mr. Chairman.

**Mr. Chairman:** Can you say any more?

**Mr. DuGuid:** No, Mr. Chairman, I would prefer not to.

**Mr. Chairman:** I shan't press you.

On the liquor law enforcement aspect, those especially trained investigators in the field; I'd like to know the number of specially trained investigators in liquor enforcement.

**Mr. DuGuid:** At present seven, Mr. Chairman.

**Mr. Chairman:** Seven.

I am intrigued by the phrase, "specially trained investigators." Are they gastronomic fellows?—connoisseurs of cheap whiskies or are their taste buds—

**Mrs. Campbell:** They have a great capacity, Mr. Chairman.

**Mr. Chairman:** Does one need it in this area?

**Mr. DuGuid:** They do considerable undercover work regarding licensed premises. One of their concerns is with the renewal and transfer of licences. They are concerned that those persons whose proceeds may have come from organized crime are not infiltrating the—

**Mr. Singer:** I am having difficulty hearing the commissioner.

**Mr. DuGuid:** One of their prime concerns, Mr. Chairman, is to investigate the transfer of licences, particularly to see that the proceeds being invested have not come from organized crime. There is also undercover work with regard to breaches of the licensing regulations covering our licensed premises; the apprehension of those who are selling illicit liquor and the importation of it from other provinces where it has been manufactured illicitly.

**Mr. Chairman:** Are there many stills in the province?

**Mr. Singer:** And where are they?

**Mr. DuGuid:** I would suggest there are not too many stills left in the province—not of a major category. I am informed by the deputy it's not a very good quality either.

**Mr. Singer:** Before you leave that, do you anticipate a sort of change in thrust, now that there's been a change in the chairmanship of the Liquor Control Board? It had somewhat of a police orientation in days gone by, which perhaps has disappeared now. Is it likely that the police are going to do more policing and the commission do less? Are you prepared for that or are you anticipating that?

**Hon. Mr. MacBeth:** I wasn't anticipating the question.

**Mr. Singer:** I recognize that.

**Hon. Mr. MacBeth:** I think you'd have to ask that question of the Minister of Consumer and Commercial Relations (Mr. Handleman).

**Mr. Singer:** I would hope the police would do much more of the policing and that the commission would do much less of it, because I never felt happy with having a commission doing policing. Many of the investigators were retired policemen.

**Hon. Mr. MacBeth:** They have a certain inspection power, as you know, and the personnel to do the inspection brought about the policing that would naturally follow. I don't think you're going to find that there will be the same type of inspection that was going on—to inspect the entertainment and that type of thing—but we do have a problem with inspection, which again is the number of bodies. We're concerned with fire inspection across the province for instance, and the liquor licence people have been doing some of that for us.

Naturally, the public are concerned about how many inspectors go into a place; they don't want one inspector one day and another inspector another day. Therefore, you try to combine some of this inspecting, but that has problems as well. One of the matters the policy field is presently examining is trying to combine the various types of inspections required. But as to policing the kind of entertainment and that type of thing, yes, I think the police will be doing more of it.

**Mr. Singer:** Hear, hear, I think it's fairly obvious that police work should be done by policemen and not by someone wearing another hat.

**Mrs. Campbell:** Could I ask one question? Do I take it from the answers given that these gentlemen who are looking at transfers of licences are not the ones who have given such difficulty to women who are seeking to obtain such a transfer? That is not part of the function of the OPP investigation, transfer of licences, that is dealt with, rather, by the board. Is that correct?

**Hon. Mr. MacBeth:** You're talking about liquor licences?

**Mrs. Campbell:** Yes.

**Hon. Mr. MacBeth:** I have no knowledge about that at all. Do you know anything about that, Mr. Erskine?

**Mr. Erskine:** We don't make any recommendation with respect to transfers. The officers investigate the background of the people and make that information available to the board; the decision as to whether or not to give a licence is up to them.

**Mrs. Campbell:** Then it's strictly up to the board as to the problems that women have had. Thank you.

**Mr. Chairman:** Shall vote 1505, item 1, carry?

**Mr. Cassidy:** I have some questions to raise.

**Mr. Chairman:** On special services, Mr. Cassidy?

**Mr. Cassidy:** I think this is the logical place, although—

**Mrs. Campbell:** Would this be a cowboy operation?

**Mr. Cassidy:** Mrs. Campbell and I joke about cowboys who come in to raise a particular issue and then go dashing out again on their horses.

I'd like to ask the minister to make a statement about the handling of the so-called vice ring arrests and cases in Ottawa, which involved not only the Ottawa police, but also an OPP officer at various times. There has been an enormous amount of concern about this in the Ottawa area and, frankly, the responses we've been getting from the government have been unsatisfactory. Among other things, I've been getting a double shuffle between this minister and the Attorney General. The Attorney General says, "Look, it's a police matter; go and see Mr. MacBeth." But when I've had correspondence with you, Mr. Minister, you seem to have concentrated solely on—

**Mr. Chairman:** Mr. Cassidy, I'm going to suggest that I think we can get through the next two or three items very easily. If you look at item 7, law enforcement—uniform, I think it would be; I can't see how this fits specifically into the special services as such.

**Mr. Cassidy:** It was alleged that the vice ring was supplying special services, Mr. Chairman.

**Hon. Mr. MacBeth:** You're looking at it from the other end of it—not from the front end.

**Mr. Chairman:** Cassidy may be as adroit as Roy about that.

[12:30]

**Mr. Cassidy:** No, Mr. Chairman, it doesn't fit easily into any part of the estimates. It just seemed to me this was the logical one, since it would take five or 10 minutes, and I thought I should raise it now.

**Mr. Chairman:** Does the vice ring fit into special services?

**Mr. Erskine:** There are cases before the courts in Ottawa as a result of assistance given by one of our men to the Ottawa police department.

**Mr. Chairman:** That doesn't help me very much. Go ahead, Mr. Cassidy.

**Mr. Cassidy:** Mr. Chairman, the official is correct that there have been charges laid against a couple of Ottawa police officers arising in part out of an investigation made by officers of the OPP, and therefore those particular cases cannot be discussed here. However, those are fairly narrowly defined cases. They are cases of aggravated assault, as I recall, against a couple of police officers, and they do not cover the handling of the

case in general by the Ottawa police force, the circus-like atmosphere in which information was released to the public, the very selective choice of people to accuse, since there were several hundred names in the black book of the organizer of this particular prostitution service for homosexuals, and yet I believe only 22 were charged.

Nor does it cover the fact that almost all of those cases have now been heard—I believe only one charge is still outstanding—and the courts have chosen to deal in a much different manner than the way in which the case was trumped up by police officials. When police officials began this was a vice ring, it might have been linked to the Mafia, there seemed to be a whole lot of kids of the age of 11 and 12 and 13 involved, according to allegations made by the police.

When we came down to it, there were a couple of streetwise juveniles, aged 15, who pretty clearly knew what they were doing, and at least one of whom was in a severe situation with drugs, a habit which he was feeding with the proceeds from his prostitution. That's much different from the impression given by the police.

Secondly, there were no links with organized crime. It was simply one rather misguided individual who was running this prostitution service. Third, the damage to reputations and so on was enormous. The cases brought against clients were quite out of line, it seems to me, with the treatment of clients of prostitution services in general. There has been, I think, a total of seven or eight other charges, of found-ins and clients and that kind of thing, in the Ottawa area in the previous year.

I've been in touch with gay organizations and they allege they fear they are being discriminated against by the police authorities. Just the other day there was a raid on private baths, the club baths in the western part of my riding, at which some 20 people were charged with gross indecency and other such offences.

It was a homosexual baths, it is well known as a place for homosexuals, and it is extraordinarily discreet in its operations in the sense that it doesn't send people carousing out in the street or pandering or anything like that. It's simply, if you will, a co-operative non-profit venture. But there were arrests immediately in the wake of a similar kind of arrest by police authorities in Montreal, where they apparently feel it is necessary to clean up the city in time for the Olympics.

What is your policy about this? What are you doing in terms of suggesting guidelines

to police officials, in terms of the treatment of the names of individuals charged with homosexual offences because of the enormous damage to reputations that can be involved in a charge, whether or not the charge is subsequently shown to be well founded? What is your opinion of the fact that police authorities, who tend to have conservative attitudes in these matters, seem to be extraordinarily hyped up, whereas the courts are taking quite a calm attitude and are, in effect, coming very close to saying to the police: "Look, you shouldn't be wasting your time on this at all"?

**Mr. Singer:** Mr. Chairman, on a point of order, I think the points that Mr. Cassidy makes are very valid but I don't think they are properly under this vote at all. This is the Ontario Provincial Police vote. It might have been appropriate to ask in relation to the Ontario Police Commission, in relation to the general vote. There is concern; I have a great concern and have asked questions about this in the House. I'm not satisfied with the answers either—perhaps we can get more from the Attorney General (Mr. McMurtry) but I don't know the involvement of the Ontario Provincial Police, which is the vote we're now dealing with. It is my suggestion, Mr. Chairman, even though this is an important matter, that we can't just keep on bouncing around in these estimates, I'm sorry, I found out this morning that I missed the Police Commission. There were a lot of things I wanted to say about that but I accept the fact that that vote is gone. This is the Ontario Provincial Police vote and I think we should deal with provincial police.

**Hon. Mr. MacBeth:** Mr. Singer's objection is well made. The gentlemen here would have very little knowledge of the policy in connection with this which the Ottawa police have been pursuing, except that a member of the OPP did assist in carrying out the investigation at the request of the Crown attorney there, which I knew about and which the Attorney General knew about.

The police made certain investigations as the result of which charges were laid and those charges are presently before the court, so any relevance the OPP may have to the whole thing is still before the courts. The other is not in this vote. I can say something about it if you wish, but I don't think the OPP here can be of any assistance.

**Mr. Chairman:** Mr. Cassidy initially said that it would approximately 10 minutes. The Chair, last evening and throughout the estimates, exercised perhaps a regrettable and even extreme latitude with respect to ques-



tions, which has been accorded, if I may say so, to all members in the committee—and in the way, we give special consideration around here to cowboys—those whose tasks fell that way.

**Mrs. Campbell:** They may or may not, right. We have two here.

**Mr. Chairman:** On occasion we have all been cowboys and we come in and we would like to get in, if possible, and with a certain amount of bowing of heads, Mr. Singer.

**Mr. Cassidy:** I don't think you should proceed under this particular item of the vote. I can see no reason for it, except on your own discretion, from what the minister just told us of the involvement of the OPP in this matter being very negligible and very remote, but I cannot prevent you from pressing as to what the degree of that was, if you wish to do so. But I'm going to request that you do it under item 7.

**Mr. Cassidy:** Mr. Chairman, at that time, since we all agree that the role of the OPP is rather limited in this, would it be possible that the other matters which I have raised could also be considered?

**Mr. Chairman:** We'll take it up when we reach it.

**Mrs. Campbell:** Stick around, chum.

**Mr. Chairman:** Item 2.

**Mr. Singer:** Yes, I'd like to find out about that \$6 million vote. What is that? Is that for all the OPP vehicles? Gas, maintenance and so on?

**Mrs. Campbell:** Ships and things.

**Mr. Singer:** Airplanes?

**Hon. Mr. MacBeth:** I'm sorry I was listening to my deputy. Did somebody ask a question?

**Mr. Singer:** Yes, the \$6.5 million under transport. What does that include?

**Hon. Mr. MacBeth:** Automobiles, aircraft and everything, I assume.

**Mr. Erskine:** Yes, it does. It covers black and white cars, coloured cars, special cars, station wagons, sand trucks, prison vans, four-wheel drives, mowing machines, motor-cycles, boats, trailers, outboard motors, sleighs—

**Mrs. Campbell:** Skiffs?

**Mr. Erskine:** Yes, and gasoline and oil. It covers every type of transport equipment.

**Mr. Singer:** Okay. On the purchase of those, suppose you feel you need another 100 cars, how do you go about getting them? I was at this earlier on. I'm quite concerned about the method of purchasing. Tell me how you do it?

**Mr. Erskine:** They're purchased through central purchasing in the Ministry of Transportation and Communications by tender.

**Mr. Singer:** By tender. Who calls the tenders?

**Mr. Erskine:** The Ministry of Transportation and Communications. We have specifications set down for the type of special equipment we require on a car, such as heavy-duty springs, heavy-duty generators for electrical equipment, and other equipment of that type. The specifications are supplied to the Ministry of Transportation and Communications and they tender for and purchase the cars.

**Mr. Singer:** They tender for and purchase the cars and you give them the money out of your allocation?

**Mr. Erskine:** We pay for them.

**Mr. Singer:** Yes, Can you tell me whether or not, a tender having been called and awarded, money then finds its way to the dealers or does it find its way only to the manufacturers? It is the manufacturers who tender, by and large, isn't it?

**Mr. Erskine:** We used to buy them through the fleet service of the manufacturers and they in turn would ask the dealer to bid on the trade-in. I would guess that the dealer got some commission from the sale. At the present time, all our vehicles are auctioned at the central auction at Downsview and they don't go back to the dealers. We are purchasing direct from the manufacturers.

**Mr. Singer:** You're purchasing direct from the manufacturers. This seems to be a little contrary to the information I was getting earlier. Are you able to say that, whatever portion of that \$6.5 million is used for vehicle purchase, it all goes to the manufacturer and none of it finds its way to the dealers? If so, that's an interesting departure and I would like to know when it started.

**Mr. Erskine:** Our information is that they are purchased directly from the manufacturer.

If there is any commission realized by the dealers as a result of this, we're not aware of it. They are purchased through MTC right from the manufacturer.

**Mr. Singer:** This has been a recurring question over a number of years and I've never really had an appropriate answer. I have good reason to believe, and you'll find it in some of the Hansard reports, that dealers are able to get a portion of these purchase moneys on the basis of some kind of an allocation.

The OPP has nothing to do with any dealer allocation if there is one?

**Mr. Erskine:** No, sir. It used to be that way when we were purchasing them and the dealer took our trade-ins. The local dealers would bid on the trade-in but that ceased two or three years ago.

**Hon. Mr. MacBeth:** I think that Mr. Lorne Edwards may have some information on this as far as government policy generally is concerned.

**Mr. Edwards:** Yes, I believe we talked about this the other day under financial services. When the Ministry of Transportation and Communications calls the tenders it deals directly with the manufacturer. In most cases, as far as the OPP fleet is concerned, we get billing from the manufacturer which designates no specific dealer. If the manufacturer wishes to designate a dealer in their records, I presume they may do this.

There are situations in which we would buy a vehicle—say, we may want one in a remote area where there would be only one dealer—in this situation, it is my understanding the Ministry of Transportation and Communications and the manufacturer are both aware of this and in that case there may be a designation as to the dealer on the invoice. I would think that in that case, the dealer would get some commission for the sale of the vehicle.

**Mr. Singer:** You left one sentence sort of dangling. You say if there is a designation of dealers, you're not aware of it. If there is a designation of dealers and money finds its way to dealers, does that not mean you're not buying wholesale but buying retail and that the price, perhaps, could be lower?

**Mr. Edwards:** Under tender calls, generally, if the vehicles which are tendered do meet the specifications, to the best of my knowledge, we take the lowest bidder.

**Mr. Singer:** That's right, but does the lowest bid include, as part of it, some commission to a dealer?

**Mr. Edwards:** We don't see it on the invoice.

**Mr. Singer:** You don't see it on the invoice. [12:45]

**Mr. Edwards:** It may be buried somewhere in the records of the manufacturer; that's very possible.

**Mr. Singer:** Yes, that's what I am getting at. I wonder if there is any way you can get a specific answer to that one. I have been trying for a long time and I have never really been able to get an answer to it. I did get an answer a while back that it was being done, and so what.

**Hon. Mr. MacBeth:** I can try to get some information or you can make it a direct question to the Minister of Transportation and Communications (Mr. Snow). I would almost take the "so what" attitude, not that I would like to see us pay commissions for service not rendered. We go out to the lowest bid. If all of the manufacturers of automobiles include in their price some kind of payment back to agencies across the province because they have in some way been short-circuited, I don't know whether there is anything we can or should do about it. Do you feel it is a wrong practice, if they do that?

**Mr. Singer:** There are two things about it. One is that it isn't apparent, as you can tell from the questions I am putting and the answers I am getting. The other point that concerns me is the suspicion that the retailers who do business, if there are any, have in the past been chosen on a basis that no one has been prepared to explain to me. My suspicious mind leads me to believe that those dealers might have been designated perhaps politically, to use a terrible word around here.

**Hon. Mr. MacBeth:** Certainly I have no knowledge of that.

**Mrs. Campbell:** It may be an official agent.

**Hon. Mr. MacBeth:** If the practice is going on at all, I would assume it is being done purely at the discretion of the automobile companies and some relatively fair system they have. As a government, is it a fair question to ask the people who tender on these automobiles to give us a breakdown of their costs based on their distribution of the money we are going to pay them?

**Mr. Singer:** Can I make it much simpler? Surely the minister who is responsible for a large dollar purchase of vehicles can ascertain whether or not, out of the money spent by this department for the purchase of vehicles, any of it is allocated to dealers; and if so, what dealers and who designates them. Those are the questions.

**Hon. Mr. MacBeth:** You are saying controlled by the manufacturer?

**Mr. Singer:** Out of the \$3 million in vehicle purchases, does any find its way back to dealers?

**Hon. Mr. MacBeth:** We have no information if it is done.

**Mr. Singer:** If the information is not available, then you can say that. Those are the questions on which I would like the minister to try to get answers for me.

**Mrs. Campbell:** As a result of the work we have been doing in our committee, I notice that the 1974-1975 estimates were less than the actual recorded in the book. Was the extra provided by Management Board order or could we know how that got there? Is this in fact the actual at the close out of the fiscal year or was there anything more?

**Hon. Mr. MacBeth:** What are you looking at?

**Mrs. Campbell:** The 1974-1975 estimates and actual. We were advised in our committee that the actual that appeared in the book was not necessarily the actual. I would like to get that straightened out in my mind.

**Hon. Mr. MacBeth:** This is two years back.

**Mrs. Campbell:** It's 1974-1975, and then you come into the 1975-1976 estimates.

**Mr. Edwards:** Those figures for 1974-1975 are contained in the public accounts. The transport branch had a number of Management Board orders. What I am looking at now are the public accounts, the statement of our ministry, under which vote 1505, item 2, shows a Management Board order of \$360,000. I presume these figures will match up.

**Hon. Mr. MacBeth:** They don't match exactly, but they're close.

**Mr. Edwards:** The actual was \$4,696,206, which shows in our 1976-1977 estimate figure. The original estimate was \$4,397,400, and there was \$360,000 Management Board order, which brought the total funds appropriated to \$4,757,400.

**Hon. Mr. MacBeth:** I suppose, then, that they didn't buy up to what they were authorized to buy by the additional order, is that the answer?

**Mr. Edwards:** That's correct, Mr. Minister. Although they did utilize some of the Management Board order, it was not all utilized.

**Mrs. Campbell:** Does that mean, then, that you have some sort of a stop on this estimate? Have you taken into consideration anything that was underspent of your allocation?

**Mr. Edwards:** In 1976-1977?

**Mrs. Campbell:** No. What I'm getting at is that we are advised that if there is an overrun, or if there is an allocation which is not expended, that it is placed as a stop on the next year's estimates. I'm just trying at this point to take a case so that I may more thoroughly understand the way in which you approach your estimates for this year.

**Hon. Mr. MacBeth:** I don't know what you mean by a stop. In other words, certainly at the end of the fiscal year there's no carry over. We can't carry over the additional that we got through a Management Board order.

**Mrs. Campbell:** It just goes back into general revenue?

**Hon. Mr. MacBeth:** That remains in the Treasury, yes. I don't know what the difference was there—about \$75,000 or so—but we don't carry that \$75,000 into next year.

**Mr. Chairman:** Vote 1505, item 2 carried? Item 3 is communications.

**Mr. Singer:** On item 3, those figures are a little surprising. I'm sure there's a new allocation, but when you have 1974-1975 actual expenditures of \$2.5 million, and then 1975-1976 estimates of \$855,000, and then you move it up to \$1 million—how did you get so heavy in 1974-1975, and then the big falling off?

**Mr. Edwards:** Mr. Chairman, in 1974-1975 the civilian radio operators through the province were all included in the communications budget. In 1975-1976, those people were transferred to an item called law enforcement—civilian. If you will look down in your estimates, page J-72, you will note a substantial increase in law enforcement, civilian in 1975-1976.

**Mr. Singer:** So the communications are no less and no cheaper.

**Mr. Edwards:** No cheaper.



**Mr. Chairman:** Items 3 to 6 inclusive, carried. Item 7 is law enforcement—uniform.

**Mr. Cassidy:** I have reflected on what you were saying about the admissibility of what I've been talking about. I think it is admissible, because in fact the OPP was involved on behalf of the ministry in investigating the background to a number of the charges that were laid by the police last year in connection with this so-called prostitution ring.

They were not there simply to concentrate on the incidents that led to the charges of assault, as far as I can understand, but to investigate a much wider background.

I'm open as to what the minister wants to do. If he wants to look into this and make a statement next time the committee meets—even though that may not be until September or October in view of the time—I would be open to that.

Alternately, he might be willing to let the committee know what kind of background was discovered and whether the minister shares my concern about the unjustified and rather sensational way in which the police in the area acted.

**Hon. Mr. MacBeth:** Mr. Chairman, as I mentioned, an OPP inspector did go down to review certain aspects, which were not limited to assault but the production of the evidence as well, as you have suggested. As a result of this, certain charges have been laid.

It is difficult to discuss the role of the OPP in it, because I am sure that all aspects of the investigation will be involved in the evidence that is produced at the eventual trial. It won't be limited—at least I assume it won't be limited—to aspects of assault, but will deal with how the investigation was conducted originally by the Ottawa police, the kind of evidence, the nature of the witnesses involved, psychiatric testimony and everything. That does put a limit on what I am prepared to say, because it is still before the courts in that sense.

You made some general remarks about a more recent raid about which I don't know anything—again, I assume it was done by the Ottawa police force—and I think you mentioned that charges of gross indecency had been laid. The police still have the job of enforcing the criminal law, and while your thought may be that they should wink at certain aspects of the criminal law and say, "Some people accept this as being proper and reasonable conduct; therefore, we won't

prosecute it, even though we have evidence of it," that's not the position that police can take. Until the criminal law is changed, they have to prosecute it where they find it. As Solicitor General, I am not going to say to them, "There are certain parts of the criminal law that I think you should be taking an easy stand on."

I don't know what further statement I can make in regard to that. If you want me to be more specific, you will have to ask me a more specific question.

**Mr. Cassidy:** I want to be very general and a bit provocative maybe, Mr. Minister. I am surprised at you, as a lawyer, saying that in a case of aggravated assault, involving allegations of actions by police officers against a specific individual, that evidence will be admissible concerning how the investigation was carried out in general, the kind of evidence and the psychiatric testimony of certain witnesses. That clearly is quite inapplicable, Mr. Minister.

**Hon. Mr. MacBeth:** I am not the judge sitting there, and certainly I can see circumstances when the whole process of the conduct of the police—

**Mr. Cassidy:** Mr. Minister, you and your government are hiding behind that particular case in trying to say that case will handle the whole thing, when anything I know about the law says to me that all it is is a specific case about what two police officers did to one suspect and everything else is not admissible in that particular case. The ministry has used that case in order to justify its stonewalling and refusing to have a wider inquiry.

**Hon. Mr. MacBeth:** You can make that interpretation if you wish. I am not prepared to say anything here that I think might prejudice in any way the conduct of that case before the courts. If you want to put that interpretation on it, you are certainly entitled to do so.

**Mr. Cassidy:** The second point I would make is this: In the first place, in cases of morals it is well known that the police are in a frustrating and rather difficult position; they are loath in many areas concerned with morals to make charges at all. Frankly, I find it rather distressing when my kids can look at acres of female flesh in magazines that are put down at the level of a three-year-old.

**Mr. Drea:** Not any more.

**Mr. Cassidy:** Not any more? I don't trust those distributors. I see it in store after store at every corner in Ottawa, which has a lot of corner grocery stores, and yet you say it is the responsibility of the police to enforce the criminal law. The enforcement of the criminal law, if you are going to enforce it against homosexual baths, surely would involve going in a week or two after the baths were opened, and not the selective kind of application of law which is involved when you go in three or four years after that particular establishment is opened. If you are going to crack down on vice rings, the enforcement of the law, it seems to me, involves cracking down the day the fellow who ran the ring phoned the police to ask what his rights were, which was six months before these particular cases, or the day he began to advertise for teenage nude male models in the newspaper—which was also four or five months before these arrests—that was the time when maybe some action should have been taken for the protection of the kids involved and for the protection of the public.

I realize the time—

**Mr. Chairman:** It is now 1 o'clock, Mr. Cassidy.

**Mr. Cassidy:** I would like to ask the minister whether he would be prepared, when this committee resumes, to consult with his officials and make a fuller and possibly more adequate statement than he made just now.

**Hon. Mr. MacBeth:** Mr. Chairman, I am not prepared to give that undertaking.

**Mr. Cassidy:** Would you be prepared to consult with your officials to make a fuller report?

**Hon. Mr. MacBeth:** I am still not sure what kind of report you want when you say a fuller report—is it on general police practices in regard to following the law, the Criminal Code?

**Mr. Cassidy:** I think there should be an inquiry to examine this particular case and I think there should be a statement by the minister about guidelines—or the working out of guidelines with people from the gay community about the way in which the laws should be enforced.

**Mr. Chairman:** In the House, the guillotine falls and I am afraid it falls here too. I'm sorry.

The committee adjourned at 1 p.m.

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Campbell, M. (St. George L)

Cassidy, M. (Ottawa Centre NDP)

Drea, F. (Scarborough Centre PC)

Kennedy, R. D. (Mississauga South PC)

Lawlor, P. D.; Chairman (Lakeshore NDP)

MacBeth, Hon. J. P.; Provincial Secretary for Justice and Solicitor General (Humber PC)

Sandeman, G. (Peterborough NDP)

Singer, V. M. (Wilson Heights L)

### Officials of the Ministry of the Solicitor General taking part:

DuGuid, G. A., Assistant Commissioner, Special Services Division, Ontario Provincial Police

Edwards, L. H., Internal Auditor

Erskine, J. L., Deputy Commissioner, Services, Ontario Provincial Police

Gartner, L. R., Deputy Commissioner, Operations, Ontario Provincial Police

Russell, A. A., Deputy Minister





# Legislature of Ontario Debates

**SUPPLY COMMITTEE—2**

**ESTIMATES, OFFICE OF  
THE OMBUDSMAN**

**OFFICIAL REPORT — DAILY EDITION**

**Third Session of the 30th Parliament**

**Monday, June 21, 1976**

**Afternoon Session**

**Speaker: Honourable Russell Daniel Rowe**

**Clerk: Roderick Lewis, QC**

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## LEGISLATURE OF ONTARIO

### SUPPLY COMMITTEE

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MONDAY, JUNE 21, 1976

The committee met at 3:24 p.m. in committee room No. 2.

#### ESTIMATES, OFFICE OF THE OMBUDSMAN (continued)

On vote 701:

**Mr. Chairman:** We can get started. The chairman sees a quorum. We are dealing with vote 701 for the Ombudsman's office at long last and in a single vote and whatever may be raised under this for \$2.3 million. Are there any comments?

The Ombudsman himself wishes to make an initial statement, I believe.

**Mr. Maloney:** Yes, Mr. Chairman. All I wanted to say to you and to the members of the committee was that during the week of June 7, I was in the Ottawa valley taking part in hearings in Renfrew, Pembroke and Eganville. Later I went to Belleville and was not available in Toronto until Monday, June 14. During the week I was away, I read in the press and was advised in telephone conversations with officials in my office that there was a good deal of discussion concerning my budgetary problems.

On Monday, June 14, I wrote a letter to the hon. Robert Welch and I would like now to read this letter. It is dated June 14, is addressed to Mr. Welch and says:

Dear Mr. Welch,

I've been out of the city almost all of last week and my information may not be all perfectly accurate. From what I've read and been told, I'm led to believe there is some suggestion that the Ombudsman's budgetary problems are to be referred back to the Board of Internal Economy. This raises questions in my mind of very serious importance and I'm sure you agree that I should be given an opportunity to discuss the matter with you before any final decision is made in this regard. I will be in my Queen's Park office, Room 157 of the Legislative Building, until approximately 11 a.m. today and after that, I'll be at 65

Queen St. W. [with my telephone number]  
I'll look forward to hearing from you.

Yours faithfully,

This letter, which I've just read, after delivery to Mr. Welch was followed by a phone conversation between him and me in which I informed him that I was seriously opposed to the estimates of the Ombudsman being subjected to review by a board which contained in its membership three ministers of the Crown. I tried to make clear that if this were thought of as the permanent means of dealing with the estimates of my office, it would not rest very well with me.

I indicated that I would accept it as purely an interim measure to help all of us get out of an unfortunate dilemma and in the expectation that the board would see to it that I was given the extra moneys needed by me to discharge my responsibilities.

I may say today that before the House reconvenes in the fall, it is my intention to propose a number of amendments which I now think are necessary to the Ombudsman Act. One of the most important of these will be the amendment I have in mind to propose insofar as the estimates of the Ombudsman are concerned and insofar as the procedure of dealing with them is concerned.

You've all had an opportunity to study my proposed budget, to examine its details and I would hope you would agree that \$2.3 million is not sufficient for my requirements and that at least you would give approval for that amount today. That's what I wanted to say in opening, Mr. Chairman.

**Mr. Singer:** Mr. Chairman, before we get too much past Mr. Maloney's statement, what amendments do you have in mind, specifically?

**Mr. Maloney:** That will be the most important one.

**Mr. Singer:** You talked about an amendment to deal with the funds. How would you propose that the funds be dealt with?

**Mr. Maloney:** In the budget of the Ombudsman?



**Mr. Singer:** Yes.

**Mr. Maloney:** What I have in mind to recommend, Mr. Singer, is that the Ombudsman will submit his budget in the amount that he, after consultation with his colleagues, feels is required; that would then, hopefully, be examined by a select committee of the Legislature made up of representatives of all political parties, in equal number, regardless of the constitution of the House itself; and that this committee not contain a minister of the Crown. Having reviewed my estimates, it would then submit its conclusion to the Legislature for its approval.

**Mr. Singer:** An interesting suggestion.

**Mr. Chairman:** One to which the chairman would not be opposed. Any comments?

**Mr. Moffatt:** Since you're talking about proposed amendments, there has been a good deal of discussion about some of the difficulties your office is having in responding to a large number of complaints which people have but which are outside the jurisdiction given to you in the legislation. It seems to me, from my experience in referring several people to you who, in most cases, had exhausted a great many other areas and really seemed to be getting nowhere, that there are some areas which I would like to see substantially altered with regard to the way they're brought forward.

Are you talking about amendments to get some involvement in municipal affairs? I think maybe that's one area where something is necessary. I'm not sure that we want to have—and I don't think the municipalities would be in favour of it—a sort of open-ended business by which the Ombudsman's office could come in and investigate everything.

It seems to me that there should be some sort of system set up whereby, after a person in a municipality has gone through several steps, such as going to the local municipality and perhaps contacting the local member or something like that, as a last resort, they could go to the Ombudsman.

There's the whole business of Workmen's Compensation. I think, originally, you were getting a number of cases from people which probably could have gone to the MPP or directly to the Workmen's Compensation Board. It would seem to me that the availability of your office to deal with Workmen's Compensation Board cases is just a little bit too fast.

People are coming to you with cases which really could be solved by the constituency office of a member or, in some cases, even by

a person in the local union. But they're coming to you as the line of first resort. I wonder if you would like to comment on those particular areas and tell us what sort of amendments you are considering, if indeed you had considered amendments, to those areas in the fall.

[3:30]

**Mr. Maloney:** Yes, Mr. Moffatt. One of the additional amendments that it is our intention to recommend relates to the very area you touched on. In the light of our experience in the office, for all practical purposes since last June 1 a year ago, we find we had a great many grievances brought to our attention that relate to organizations that are funded either in whole or in substantial part by the government of Ontario but are not in my jurisdiction because they're not government agents of the Province of Ontario within the definition of the term in the Act. That includes private nursing homes, boards of education, municipalities and a few others that just don't occur to me at the moment.

It seems to me that there's a need for assistance in the form of an Ombudsman operation for people who have grievances in those areas. We've been a lot of help to them, mind you, but only to the extent that we can tell them what agency they can go to and help them get there. We can even sometimes put in a word for them, but if the organization to which we address the complaint on behalf of the complainant says: "Look, this is none of your business," we have to say: "You're right." There's an amendment I propose to make in that area of jurisdiction as well along the lines you've raised and that I've suggested.

**Mr. Moffatt:** It seems to me that each year we get a series of grand jury reports which outline some areas of concern. It may well be that some of the things that the grand juries have recommended in the counties would be areas where your office could get something done and we would not have to go that grand jury route. It might well be that the grand jury could get involved in some of the things if that's a feasible alternative.

**Mr. Maloney:** Not now, Mr. Moffatt, because the grand jury as an institution has now been disbanded and, therefore, its recommendations will no longer be forthcoming. The difference between grand jury reports in the past and what the Ombudsman can do is the follow-up that you people in the Legislature have given the Ombudsman. If we don't get the relief we want from our recommendations

at the ministerial levels, then we go to the Premier and then to you people in the Legislature. The grand jury could file its report and then that was the end of it. There was no further action which could be generated by anybody after that that would be effective. So there's much in the area of what grand juries used to be concerned about that will fall within our purview.

**Mr. Moffat:** I was concerned about some of the things in the last grand jury report that I saw in the Oshawa area. They were really concerned with looking into some of the private nursing homes. I think that was an area where something really needed to be done. It seemed to me that your office could perhaps take up where they had left off and do something.

**Mr. Maloney:** Right now, I don't have the jurisdiction over private nursing homes.

**Mr. Moffat:** In the original statement you made—quite a number of weeks ago by this time—you mentioned the report which you had given to the Minister of Correctional Services (Mr. J. R. Smith), a copy of which went to the original complainant in a case where you felt that the information in the report for the clearing of the names of the people who had been falsely or wrongly accused should have been made public. In fact, it was not by the minister's decision. Has there been any further action on that particular case?

**Mr. Maloney:** No, there hasn't been. The minister wrote to me to explain that his objective in taking the position he did was to assist in the rehabilitation of the youth in question, that if too wide a coverage was given to the findings in the report, it might impede that process of rehabilitation. While his motives were perfectly commendable, the fact is that it produced more serious injustices elsewhere, I thought.

It would not contribute to the rehabilitation of the two young fellows who were accused who are also out of institutions now, nor would it be very good for the morale of the custodial officers who were under a cloud so long as the allegations stood there. I was of the view that that report should be made public. The youth in question could have made it public but, for obvious reasons, he naturally didn't and wouldn't want to.

Again, you've raised another area of a proposed amendment by me. I'm going to ask that the Ombudsman be given a discretion to make public reports he feels ought to be made public in the public interest,

regardless of whether the claimant or the ministry sees fit to do so.

**Mr. Moffat:** Could the people who were accused and had no access to the final report ask you to open a new investigation into that particular incident so that they, in turn, could release the report to clear themselves?

**Mr. Maloney:** I would think, yes. I would think it would be open to them to complain to me about the discretion exercised by the Minister of Correctional Services in his failure to produce the report. I would then make a finding with respect to their complaint, of which they would be given written particulars, and they could then make it public. It's a pretty circuitous route to accomplish an objective that ought to have been accomplished a lot easier earlier.

**Mr. Singer:** Is there a provision presently in the Act saying you can complain in due course to the Legislature, that if action hasn't been taken, you can make a report suggesting that, amongst other things, the report be made public?

**Mr. Maloney:** You're quite right, but that provision would not apply here, Mr. Singer. Suppose I had found in favour of the youth who had complained in that case and suppose I made a certain recommendation in order to avoid a repetition of that sort of thing, that the ministry declined to carry out, I would then go to the Premier and, failing him, I would go to the Legislature. But in the facts of this particular case, the complaint having been resolved in favour of the ministry, there was no need to take these necessary additional steps.

**Mr. Singer:** It is very difficult for me, as one member, to talk about reports that we haven't seen. I know that there is such a report bouncing around. I have no idea what it says. It's very difficult, I would imagine, for all the members of the Legislature really to understand this. We read bits and pieces. For instance, there has been a reference to a report that was supposed to be released by you last Monday. We haven't seen it today and another Monday is coming.

**Mr. Maloney:** You're referring to the report on the North Pickering project.

**Mr. Singer:** Yes.

**Mr. Maloney:** That report is now being bound and could, I suppose, if I stayed up to midnight, be delivered to the minister before midnight, but I've made a statement



that it will be delivered to the minister tomorrow morning at 11 o'clock.

**Mr. Singer:** Then we don't know whether the minister is going to sanction its release or not.

**Mr. Maloney:** That's in a little different category. Under the Act, you will recall, I indicate or I am entitled to indicate when I send such a report with my recommendations a reasonable period of time within which the minister and the ministry are to notify me of their intention insofar as the recommendations are concerned.

In view of the fact that I've had lengthy discussions with the minister and an exchange of correspondence with him, and in view of the fact that we've had long discussions with the deputy minister and he's had an opportunity to see a very substantial part of the factual part of the report, I've indicated what I think would be too brief a period of time, having regard to the magnitude of this case, had we not had these advance discussions I've asked that I be given notification of his intention within one week from tomorrow.

**Mr. Singer:** Isn't it rather unfortunate, since it seems likely that we are going to adjourn tomorrow, that we don't have that here? This is really the first one the members of the Legislature might be interested in commenting on when we get to see it.

**Mr. Maloney:** Let me say this, sir, that while you won't be able to comment on it in the Legislature, if the Legislature is not in session a week tomorrow, that will not prevent you from commenting on it outside the Legislature, because one of the complainants in that case, who will be entitled to a copy of the report after the lapse of the period of one week, together with all the other homeowners who have been complainants, will be the member for Durham West (Mr. Godfrey) because he is one of the complainants.

**Mr. Singer:** We anticipate that he might comment on it.

**Mr. Chairman:** He won't give it to you, I can tell you now. Mr. Moffat, are you still questioning?

**Mr. Singer:** You're being somewhat less than impartial Mr. Chairman. I don't think that's appropriate at all.

**Mr. Chairman:** I've given you a fair amount of latitude. The questioning is being

done by Mr. Moffat and I think you should permit him to continue. If you want to get on the list, indicate. Thank you.

**Mr. Singer:** Would you put me on the list then? Thank you.

**Mr. Moffat:** I'm finished, Mr. Chairman.

**Mr. Chairman:** You're finished! Mr. Renwick.

**Mr. Singer:** So much for you.

**Mr. Renwick:** Yes, I'm interested in this whole question of the report and your suggestion that you should have an amendment to the Act to permit you to have a discretion about it. In the specific case of the report dealing with sexual assault in the institution, the one that the Minister of Correctional Services has not seen fit to issue, do you as a matter of custom in such a situation write to him asking him for his reasons for failing to produce it?

**Mr. Maloney:** It never happened before in any case that I had since I've been discharging my present responsibilities and I didn't do that in this case. I didn't ask him to give me an account of his reasons for failing to do that. He gave them to me gratuitously after reading my comments here.

**Mr. Renwick:** Some time after that, he spoke with me very briefly about the question. I took it his major concern was that the person who had made the allegation which turned out to be unfounded is out in society engaged in trying to find his way again in our society and he thought it would be detrimental to that person's interest.

**Mr. Maloney:** That's certainly the explanation he gave me too. The difficulty is, though, that when the youth made the allegations in the first place they received a tremendous amount of notoriety and this put the two youths who were accused under a serious cloud and also the custodial officers. I think I'd be more inclined to concur in what he felt was his best judgement at the time, had it not been for the fact that that notoriety pointed the finger of guilt at the other people who, I thought, it was very important should have the advantage of exoneration, which I felt they clearly deserved.

That was the reason he advanced to me as well, Mr. Renwick.

**Mr. Renwick:** Without forecasting what you would do in such a situation, would you say that in that particular instance you were



concerned about the relative rights of the inmate who had made the allegation which proved unfounded and the position of the two persons who were involved in having the allegations made about them?

**Mr. Maloney:** Plus the custodial officers which I thought—

**Mr. Renwick:** And the custodial officers.

**Mr. Maloney:** —was important too. I know in conversations I had with different custodial officers that they were very concerned about what finding I was going to make in respect to that incident. They all felt under a kind of cloud. I felt it was important that that cloud should be lifted. Had I had the discretion that I'm going to recommend I be given to use prudently as I see fit, I certainly would have released that report.

**Mr. Renwick:** I'm curious about that. I wouldn't think it would be wise for you to have the discretion, unless the minister concerned had been able to give and state his reasons in writing and presumably publicly as to why he was declining to publish such a report. Then, in the wise exercise of that discretion, if it were given to you, you would be fully aware of the exact reasons why the minister was not doing that.

**Mr. Maloney:** I would agree with that. I think before I would exercise any such discretion, if it were given to me, the minister should be given an opportunity to release it himself, and if he doesn't choose to release it, that he be given an opportunity to state his reasons to me so that I can consider them before I exercise what discretion I may have.

**Mr. Renwick:** The reason I'm a little bit concerned in this case is that it has been reported in the press that one of the minister's reasons, at least, was the language contained in the report—

**Mr. Maloney:** The original report.

**Mr. Renwick:** —which I don't think would be a valid one and which he didn't mention to me in the brief conversation we had about the matter.

**Mr. Maloney:** Where I first became aware of the position he was taking publicly was when I saw him on the CTV network. The explanation that was given at that time may have been edited as he may have said these other things that were not shown on the actual newscast. But the part of his interview that was shown on the newscast was the part in which he said that he found the

language too explicit and that he didn't want to accept responsibility for releasing X-rated material to the public. He may well have put forward the other reason too, as I say, and it might have been edited out of the interview.

**Mr. Renwick:** When you're considering putting forward a request for amendment on this basis, would you give some consideration to an enlargement of the statements made, without going into the legalities of it now, by Duncan and Cammell Laird on this whole question of the public interest?

[3:45]

**Mr. Singer:** Today must be the day on which we do talk about law.

**Mr. Renwick:** Yes, maybe.

**Mr. Singer:** Oh, good.

**Mr. Renwick:** What I'm feeling my way toward is that if you feel a report should be issued and you give it to the minister and he declines to issue it and then states his reasons for it, it may be that you would perhaps want to be in the position where you went to the court for a decision on the question of whether it should or shouldn't be released.

**Mr. Maloney:** I would oppose that suggestion because I think when you appoint an Ombudsman you appoint somebody whom you think will be able to exercise his discretion wisely. To get involved in court proceedings over that sort of thing would only prolong it and the delay that would be involved in getting it forward to exonerate the people who ought to be exonerated would be so great that it would lose any of its exonerating effects.

**Mr. Renwick:** Assuming that the court system was such that we didn't have to deal with protracted delays in it, wouldn't you find it somewhat difficult in exercising a discretion to exercise it on your own without the assistance of a court or of a declaration by the court simply because it would be your version of the public interest as distinct from a minister of the Crown's statement as to what the public interest would be?

**Mr. Maloney:** I'm empowered to do that in all kinds of cases. Already the Act gives me the power to review the discretionary decisions of individual ministers and I have a discretion in a whole wide variety of areas already in the Act. I'd be glad to give some

thought to what you are suggesting but, at the moment—

**Mr. Renwick:** May I turn, if I may, to another area? Have you found the provision which limits your jurisdiction to all cases where the right of appeal has been totally exhausted a stringent limitation on your jurisdiction?

**Mr. Maloney:** Speaking for myself, no. There's a lot of complaint about that provision which restricts my jurisdiction. But to analyse it, it makes quite a bit of sense.

If you look upon the Ombudsman as a tribunal of last resort, which in many respects he is, then the pursuit of the intermediate forms of relief would seem to commend itself. Especially consider if someone were to come to me and say that he wanted my assistance and I saw that he had a further right of appeal he could pursue to a court, but he were to say to me: "That may be so, but the amount that would be involved, the cost that it would be to me to pursue that remedy, really makes it prohibitive for me." In a case of that sort, we would advise him to allow the time for appeal to elapse and then come to us because the time for appeal invariably is either 15 days—30 days at the most.

If an individual has an opportunity to seek redress for his grievance in the courts, especially now that legal aid is available, that's another factor you take into account assuming you've established his eligibility for legal aid. I'm inclined to think that's a good provision. There are some Ombudsman jurisdictions that don't give as much leeway as you people have given by that provision. They say that if there is a remedy by way of appeal, there's just no jurisdiction in the Ombudsman. At least in this Act, Mr. Renwick, there is.

When I was originally consulted about this Act, the original draft I looked at, it didn't contain this right to come to the Ombudsman after the time for appeal had elapsed. We had discussions with the Attorney General's department about it, and the right to come to the Ombudsman was conferred in the final Act when it was presented to the Legislature in its final form, provided he waited until after the time for appeal had elapsed. I just don't think the Ombudsman should set himself up as somebody who is functioning contemporaneously with the courts. I don't find it difficult to live with that provision.

**Mr. Renwick:** I take it, though, that whatever that limitation imposed on your jurisdiction may be that that doesn't prevent you, as you stated in your opening statement here and on other occasions, that you are anxious to assist people to find the proper forum if they haven't been able to locate it themselves.

**Mr. Maloney:** That's right, and we do a great deal of that.

**Mr. Renwick:** My last question is is there much intervention by the bar in bringing cases to your attention, or are they tending to originate from the individual citizen himself or groups of citizens?

**Mr. Maloney:** By far the majority of them originate from the individual citizen, but we have a number that are brought to us on behalf of the citizen by legal counsel and we welcome that as long as the citizen doesn't think that he must have a lawyer to effectively present his case to us, especially when you get into a complicated case of doubtful jurisdiction, and that sort of thing. I know as a result of the intervention of a lawyer in one case in which my colleagues and I in the office had come to the conclusion we lacked jurisdiction, we reopened it. I welcome the intervention of lawyers in cases before us as long as the citizen realizes that's not a necessity.

**Mr. Renwick:** Do you anticipate that in any sense the burden on the legal aid system is going to be increased because lawyers will be intervening? Or do they intervene because their sensation is that they as lawyers have gone as far as they can go and now you, the Ombudsman, are the last resort for their client?

**Mr. Maloney:** I would like to think that in appropriate cases legal aid would be granted to the lawyer to enable him to present a difficult case to us. I don't think legal aid should be granted to every lawyer who comes to us on behalf of a claimant, but when a case of some complexity comes before us my view is that he should be entitled to a legal aid certificate to have the assistance of a lawyer to plead his case in the Ombudsman's office. As a matter of fact, we have one case now that's right in that category. He's been denied legal aid, and we're making representations to the Ontario director, recommending that he should be granted legal aid for the purpose.

**Mr. Renwick:** In order that the case may be presented on his behalf before you as Ombudsman?

**Mr. Maloney:** By a lawyer of his choosing.

**Mr. Singer:** Just following up on that last one, why should it be necessary to have a lawyer present that kind of a case to you? Isn't there sufficient facility and personnel within your office to do that?

**Mr. Maloney:** I don't think it's necessary at all, and I'd feel very unhappy if I thought it got felt around that to get an effective result from the Ombudsman you must have a lawyer. But if a claimant who comes to us with a problem, especially one of some complexity, would feel happier with having a lawyer to articulate his problem for him, I don't think he should be denied that.

I always remember a few years ago being shown a letter that was sent to prisoners all over the federal penitentiaries under the signature of the chairman of the National Board of Parole, saying that they had no need to have a lawyer. The clear implication, if you read between the lines of the letter, was that having a lawyer would do you more harm than good.

I just deeply resented it. I resented it very greatly because I think a lawyer can do a great deal for a person who's making a parole application. In the same sense, the prisoner feels a greater sense of security if he feels he's got the right to have a lawyer make his presentation for him. I don't think it's necessary, but I do feel that the citizen who wants it should be entitled to have it. If it's a case that's devoid of complexity, I don't think a legal aid certificate should be granted for the reason that there's no need for it. Our office is well equipped with legal staff.

**Mr. Singer:** I would agree with that, and certainly looking at the size of your budget and having walked around your office, I think you have a sufficiently large staff to be able to take care of most things. I would be awfully worried about the thought that we interject lawyers in the approach to your office.

**Mr. Maloney:** Would you feel unhappy if you read a statement from me tomorrow that I wanted it understood that we didn't want lawyers coming before us on behalf of claimants?

**Mr. Singer:** No, I would feel put upon if you said that, quite obviously, and that's why you put the question. On the other hand, I wouldn't be happy if I read a statement that it's best that people come before you with a lawyer.

**Mr. Maloney:** Oh no, and you won't read such a statement.

**Mr. Singer:** On these amendments, in keeping with what you said earlier, I would trust that when you have them all assembled and drafted in whatever language you choose to draft them, that they will not be a secret as between you and the Attorney General until some day they might see the light of day.

**Mr. Maloney:** As an officer of the Legislature, I would feel that these proposed amendments should be circulated to interested members of the House through Mr. Speaker.

**Mr. Singer:** Good. Will we have an opportunity of finding out in written form what you have been doing since your appointment, or do we have to really wait for your report and perhaps what we elicit from the press and can get from you in the few hours available to discuss your estimates?

**Mr. Maloney:** My report is in the process of preparation now. My hope, as long as you don't hold me to this as a firm commitment, is that the report will be ready the very latter part of August or the beginning of September, and will therefore be presented to the Legislature through Mr. Speaker the minute the House reconvenes in the fall.

I don't think I would be entitled to give you an advance copy of it.

**Mr. Singer:** No, I wouldn't want to get one earlier than Mr. Lawlor would.

**Mr. Maloney:** No, what I mean is I don't think I could give an advance copy to every member of the Legislature, say, before the House reconvenes. I doubt that, and I really am not at liberty to discuss in any meaningful way the many cases we've had and how we've decided them. I feel confident when you see the report, you will be impressed with what has been done in the individual cases and in setting up the structure of the office. I rather am inclined to think that part of the difficulty I have had this year I won't encounter after that, because I have been handicapped in a way that there is a lot I haven't been able to reveal that I think will be brought to light in the annual report and people will realize how valuable this new function is that you have created.

**Mr. Singer:** This is one of the handicaps under which I as one member of the Legislature am working at the present time. I have some idea of the scope of your office and the personnel that you have in it. I know of three



matters that you have been into, the one about North Pickering, the one involving the sexual incident in a penitentiary and the one that you are not allowed to look at, the disputed Hydro line. But over and above that, I would like to ask you, and I don't know the extent to which you can tell me, for a few of the highlights of difficult problems that you have dealt with and some of the people that you have been able to service as a result of this office being created.

**Mr. Maloney:** We've had cases of different kinds that I think I could probably mention to you. For example, the youth whose release was brought about from the mental institution after what I thought were the unfair circumstances surrounding his rearrest; the cottage owners on the Crown lands in Rondeau Park in London, who didn't read the fine print and thought their lease was going to last until 1990 something, when in fact it was going to expire last December. We were able to get very considerable relief for them. We have produced significant relief in a number of cases involving prisoners in penal institutions.

I would be happier if I could prepare a dossier for you of cases in the language that wouldn't in any way violate my oath, and I will be glad to undertake to give it to you.

**Mr. Singer:** I would like to see something like that because really to intelligently discuss the estimates, I would like to get some idea of what you are doing. It's not just the dollars. Mr. Renwick doesn't like to discuss dollars but I am prepared to discuss dollars with you. However, I would like to get some idea of what you are doing, other than the few things I pick up from the press.

[4:00]

**Mr. Maloney:** I am proud of what we have done and I think you will be proud of what we have done when you see our report. I think you will be very impressed by what we have done, but you will also be impressed by the fact that in addition to handling a whole lot of cases and handling them very well, we discharged another important mandate. We brought the office into being. We set up the machinery for it. We set up the understructure on which it is going to stand, as I said before, the test of time.

We had a lot to do in the first year of our operation. Besides having to resolve a whole lot of cases we had to create this new piece of equipment that you brought into being. This is something you are going to be impressed about too. I think you are already

because you have seen the machinery of it in operation when you came down to the office and you are familiar with our modus operandi. It is an important new operation for the people.

**Mr. Singer:** Mr. Maloney, I have been summoned to a meeting of the Board of Internal Economy. It isn't that I don't want to ask any more questions. If I can get rid of them, I will be back.

**Mr. Conway:** I have just one or two very brief comments, Mr. Maloney, having regard to the estimates. I see throughout a sense of direction and proportion as I am sure you and your officers feel important as far as the nature of the office goes. I think the point you have just made is perhaps the most signal one to be made, that is that we are bringing into creation an office which has got to have the capacity to stand the test of time.

Perhaps what I am going to ask is unfair on that account because it is of a hypothetical nature. It seems to me that the central question of the office at the present time is these dollars and cents figures that will ultimately be determined, whether it be by the Legislature, the Board of Internal Economy or whatever. What I want to ask is simply this: How would you react, given what you have seen and what you have experienced in the first year of operation, to a significant reduction in the dollars made available to you for the second year of operation? How does that weigh upon your activity and your consideration at this point in time?

**Mr. Maloney:** It would greatly curtail programmes that will be continuing programmes. It would impede all sorts of things we have to do. For example, when the report of the Pickering investigation ultimately is made public you will see heaven knows how many man-hours of work. Two investigators in the office were totally committed to it for a period of five months, plus some extra help that had to be brought in. As a result of the investigation of that case, I think when you see what we have done there I think you are going to realize the importance of that operation and how it would be unthinkable that we would be denied the right to do that sort of thing.

If our budget were curtailed, we would have to say to people who come to us with problems, if we find those problems are deserving, especially if they come to us in the numbers that they did in Pickering, we would have to say: "Sorry, we really can't conduct an investigation in your case because we are

without the funds that are needed to do it." It would be the same with a whole variety of cases.

Take our look at the prison system. I am embarrassed about my delay in handing down my report on the prison system. It is so important that I am just holding on to it until July comes, when the pressure that I am living under in June is off me, so that within the first two weeks of July I can just finalize that report. When you see that, you will see the magnitude of that as well and what a tragedy it would be if that sort of thing just couldn't be done again.

I think of the hearings around the province where we go around the province and where people in all the various municipalities we visited can come out to see us in a totally private setting and communicate their grievances to us and to qualified members of our staff. For example, when we go to a municipality we bring someone who is expert in workmen's compensation problems and that sort of thing, to have a real expert that someone can go to with a problem and know that that is going to be dealt with just as effectively as if they had come to Toronto with it. I think that on the basis of my experience in the last year, an ongoing presence of the Ombudsman around the province—I don't mean of me personally, but of the facilities of my office—is an absolutely essential part of our operation in the future.

In the three days we were in your bailiwick of Renfrew, Pembroke and Eganville, 147 new cases were brought to our attention. The other day in Stratford there were 75. When you stop to think of the convenience, 75 people were spared the inconvenience of coming even the rather short distance from Stratford. But, for the 147 in the Ottawa Valley, think of all the inconvenience to the household if 147 wives or husbands have to leave home and arrange for the folks back home to be taken care of while they are away.

This is very much appreciated. I wouldn't want to see all that cut off.

**Mr. Conway:** I certainly can support that from the point of view of the Ottawa Valley. The impact was a very salutary one. I think what I want to get to next is if a dollars and cents reduction is effected by whatever authority, I am wondering how damaging that will be to the first and formative years. I think that that becomes an important topic of conversation. Am I right in suspecting that if you are not provided with the revenues of the operating funds that you feel essential

and necessary, that much of that draft that you are preparing for the office itself, as well as the formation of the first year—

**Mr. Maloney:** I would agree with you. It is crucial this year but I just wouldn't want to say anything that would cause you to believe that I thought I would be able to get along with less next year. I would be misleading whoever it is who is going to make a recommendation about what funds I need.

**Mr. Conway:** The developing relationship between the Office of the Ombudsman and the Board of Internal Economy is something which has been discussed both here and in the Legislature itself at some length. It seems to me there is in that a fundamental contradiction insofar as the office was thought to have been. I am wondering if in addition to what you mentioned in your letter to Mr. Welch, you have anything further to add to that?

**Mr. Maloney:** Beyond the brief reference to the matter in my letter to him, there isn't really much more I can say other than, as you say yourself, there is something incompatible about a functionary like an Ombudsman, when you consider the philosophy in which he is nurtured or out of which he grows, that he should have to go to an organization that is made up of three ministers of the Crown to get the moneys he needs to carry on his function because after all that is what he is all about. The Ombudsman is independent of the government.

When I was appointed, I was appointed by the Legislature. I was nominated by the Premier but I wasn't appointed by the government; I was appointed by the Legislature. I am not answerable to the government and I am not answerable to part of the civil service. To me, there is something totally wrong about having to go to a group that's made up of three ministers of the Crown.

**Mr. Conway:** Would I be unfair in suggesting that you, in particular, and many of your office in general, are surprised and unhappy at the fact that the office has become involved in the kind of public debate that it has?

**Mr. Maloney:** Over the budget?

**Mr. Conway:** Over the budget.

**Mr. Maloney:** I am terribly sad about it. I really felt that our original budget as presented was a reasonable budget and that no one who examined it, who was familiar with our operation, and who saw what we were trying to do could find it was out of line. I

felt very badly when a budgetary figure was determined that was a way below what I could carry on with. It was natural that the public would be interested in the controversy; I am sorry it ever happened.

**Mr. Conway:** Finally, is there a point at which these budgetary difficulties, if they are to continue, take on such a complexion as to make your commitment to the Legislature and the office up for personal review?

**Mr. Maloney:** I hope I will never be put into position where I am faced with that dilemma. I would cross that bridge when I came to it.

**Mr. Renwick:** I would just like to pick up on one other matter and touch upon one which was raised by an original matter of mine. When Mr. Singer picked up the question about legal aid and lawyers appearing before you, I can well understand that in difficult questions of jurisdiction it may well be that a person would want to consult a lawyer to find out whether or not the matter could be reopened on a jurisdictional matter. But once the jurisdictional question were decided, is it not of the essence of the office that you should deal specifically with the individual citizen on the substance of the matter that you are called upon under the statute to investigate, and that on balance there would be no need for legal counsel, once the jurisdictional matter is settled?

**Mr. Maloney:** Let me repeat that I don't think there is any need for a lawyer at all, jurisdictional problem or none. I think what is important is that the citizen who comes to us comes to us in the way that makes him feel happiest and most secure and most at home. If he feels happier coming to us with an agent, some neighbour or friend who is more articulate than he is and he is going to feel happier presenting his problem to us through him, I'd let him. There is no question of it. If he comes to us with a lawyer, I would welcome him and the lawyer can be a great additional help to us because none of us is perfect. We are all fallible. I gave you an illustration of the one case where this lawyer's intervention caused us to change our mind and to reopen the whole matter and we are now working on it again. I just would not want it to get around that somehow or other you wouldn't do as well before the Ombudsman if you didn't have a lawyer. On the other hand, I'd feel very unhappy if the legal profession felt they were unwelcome in my office.

**Mr. Renwick:** Would you feel unhappy if the legal profession felt they should be in your office?

**Mr. Maloney:** If I ever thought that, as a result of the legal profession's representations, it was felt nobody could come to the Office of the Ombudsman effectively without one of them I would certainly take action to see that that was stopped pretty quickly.

**Mr. Renwick:** I think that is what is of concern to me. I think it has to be very clear that, apart from difficult jurisdictional questions, a citizen of the province should not feel there is any advantage to him of any kind in being represented by a member of the profession, from the point of view of having to pay legal fees, whether the legal fees are borne in part by the public treasury through the legal aid system or by the citizen himself as a private citizen.

**Mr. Maloney:** I think we are probably thinking along the same lines, Mr. Renwick.

**Mr. Renwick:** May I talk about these areas which are more difficult? Perhaps you could tell us a little bit about how you have been dealing with the Workmen's Compensation cases in this sort of circumstance. If you look at the Workmen's Compensation Act, as I know you have, there are sort of indefinite reopeners available to a claimant before the board, no matter whether you exhaust all of the remedies right up to the very end of the appeal system within the board itself. The board is always ready and willing to reopen a matter for further consideration, in many cases, without specifically having basically new grounds on which to reopen. At what point is it possible that a claimant before the board can say: "I have done the best that I can do in all of these circumstances and I would like the assistance of the Ombudsman in this case without being stuck on a jurisdictional question"?

**Mr. Maloney:** I would be very happy if you would permit me to do it, Mr. Chairman, and if Mr. Renwick would have no objection, to ask the lady in our office who is charged with the responsibility of advising me in relation to workmen's compensation cases. Besides having a tremendous experience in the field when she came to the office, she has surrounded herself with three young people who bring to bear a knowhow and an expertise of workmen's compensation matters that makes me very happy and very secure in that office. Do you mind if we ask Ms. Adams to answer your questions?



**Mr. Renwick:** Not at all.

**Mr. Chairman:** Mr. Maloney, the Chair says you may call anyone you wish to call upon at all. That's why they are here and we are delighted to listen.

**Mr. Maloney:** Would you mind coming forward? Were you listening to the question? I don't know whether you heard Mr. Renwick's question.

[4:15]

**Ms. Adams:** Mr. Renwick, on the whole we accept the appeal board decision as a final step. There is the odd occasion when we have raised a matter with the Workmen's Compensation Board that they accept that as an appeal of the decision of the appeal board, but that happens very rarely. At this point, we have something like 65 Workmen's Compensation cases that are ours right now.

The moment they are ours we send what we call a section 19 letter. That means that the Office of the Ombudsman has commenced an investigation in this particular matter. We also request at the same time a Xerox copy of the whole file and the board has been very co-operative and we've been getting the files. We do have one case where there are 14 claims. They come in varying thicknesses between 3 and 12 in.

The moment we get those files our investigators then start looking at them and go through them. Then, depending on the thickness of the file and depending on whether further interviews are required, whether local investigations in the factory, for instance, are requested, this can take anything from a week to two or three months, because we may require further medical reports. Then a recommendation is made by Mr. Maloney to the Workmen's Compensation Board.

Actually we would say because of this never-never land of reopening claims, at the moment we have an appeal board decision, it is our feeling that the appeal process mentioned under the Act has been exhausted and it really comes into the jurisdiction of the Ombudsman.

**Mr. Renwick:** Perhaps from the point of view of the claimant who has arrived at that point, what is he then told?

**Ms. Adams:** We tell him that we've asked for a copy of his file and that we are looking at it. We ask him to be patient because from then on it is very tedious and a very time-consuming way of dealing with things.

The other thing is, we had a backlog of claims as well.

We try to stay in touch with the claimant. We have to stay in touch with him if we require his signature so that we can have additional medical reports released to us. We get the signature if we wish to contact any of his doctors.

**Mr. Renwick:** I was speaking about the period of time after the appeal tribunal has made its decision in the matter. Do you then advise the claimant specifically, that, yes, this has happened or, yes, this has not happened but this is the end of the road?

**Ms. Adams:** He would have to come to us. We received something like 275 complaints between May, 1975, and April 30 of this year. Most of those complaints are not within our jurisdiction because they haven't exhausted the appeal process. We have a fairly long letter, something like a two-page letter, that goes forward which explains the appeal process. It deals with the specific claim and the specific problem which that claimant has forwarded to us and then it sets out the appeal process. It suggests in the appeal process he may like to go to his member of the Legislature or otherwise he may like to use the workers' advisers in the Workmen's Compensation Board. We express the hope that his or her claim will be recognized during that process. But if all else fails, after the appeal board has made its decision, if that decision is not what the claimant or what the complainant wants, we advise him then to return to us.

**Mr. Renwick:** And then what happens? That's the part I'm interested in.

**Ms. Adams:** Then when the complainant comes back to us and says: "I lost out. Here's a copy of the appeal board decision," we then write and say: "This is now within the jurisdiction of the Ombudsman. We'll look into it and we'll stay in touch with you."

**Mr. Renwick:** What sort of results have you had in that kind of situation? Is this where the 65 fall within your jurisdiction now?

**Ms. Adams:** Precisely. Because I've been short of people, as there aren't very many people available who really know the Act and really know how to look at files, I've had some problem getting people to work with me. Because of that we only really forwarded eight recommendations to the Workmen's Compensation Board so far. This

is the beginning of what is going to be quite a stream. In all fairness to the board, they were forwarded to them, I think, less than a week ago and they should be given an opportunity to look at them. At this point, I am as curious as you are as to how they will deal with them.

**Mr. Renwick:** We are really just at the beginning of that particular process but, from the point of view of the Ombudsman, you take it that your jurisdiction commences after the appeal tribunal.

**Ms. Adams:** After the appeal board.

**Mr. Renwick:** I don't mean that you are not helpful to people before that time. The circumstances now are that you have submitted the first eight cases following it and haven't as yet received decisions on them.

**Ms. Adams:** Not yet.

**Mr. Renwick:** I would be very interested to see what does happen in those circumstances. I am glad to hear that you don't consider that your only jurisdiction is after the so-called ultimate right to go to the board itself is concerned.

**Ms. Adams:** That is the appeal board.

**Mr. Renwick:** I know it is, but it is the reopening clause that I am talking about.

**Ms. Adams:** Oh, yes. As a matter of fact we went one step further. There are some claimants who have a number of claim numbers and it is very difficult to differentiate really. Did the problem start with claim X or with claim Y? Rather than get stuck with saying we'll look at this one but, on the other one, he really hasn't gone through all the appeal process and asking him to go through 14 different appeal processes, if there are 14 claims, we have asked the board to co-operate with us and agree that once that is done we can look at all the claims at the same time. Otherwise we are in a never-never land of appeals and the poor claimant will die before anything is done with them. The board has been co-operative on that.

**Mr. Shore:** I have just a couple of observations. Either fortunately or unfortunately, I was not in the Legislature when this Act was enacted and when it was debated as to its merits and so on. Therefore, I feel quite comfortable in making the observations I wish to make. I certainly have been impressed, firstly, with the chairman in his ability to sell the programme and so on. But the thing that I would like to put on the

table here, in view of the stress that's been going on particularly in the last few weeks that it's accountable to the Legislature and so on, is that we must be careful that it is accountable to the Legislature. I think that's quite right and its funding has to be taken into consideration.

I am a strong believer, despite what others say, and I think many others are of the same feeling, that any programme has to be weighed in relation to its economic cost and has to be looked at from a cost benefit analysis. Right off at the beginning, I have to rely to a great extent on what the Ombudsman says it is because, from the information given to us, all I am seeing is mathematics and it doesn't really tell me what it's all about. I will have a few specifics in a moment but I am a little uncomfortable and I would like to be made more comfortable by his answers. Obviously, I would be disappointed to see any major other answer.

When my colleague, Mr. Conway, suggested what might happen if there was a restraint or a restriction of an allocation of less money, your answer was that it would substantially inhibit the programme. I assume for the moment that you are using all the dollars allocated to their fullest extent and maximizing their use, but again unfortunately I can't clearly delineate that. Assuming for a moment you are, then logically it is true you would be inhibited if you had less money. On the other hand, my concern is that as a responsible body, including the Legislature aside from just the government, I would not like to believe, and you alluded to it, that you haven't got in your mind that we do have the right to say that there is going to be so many dollars allocated for the Ombudsman, because I am convinced that you will always be able, or any good leader will always be able, to justify what they are doing. If they can't, then there is something wrong right at the beginning. You will always be able to justify what you are doing.

The question is can you operate in the confines of an allocated budget? I can see the beginning of a problem about which I am concerned, though maybe I shouldn't be. If you keep coming and saying: "Here's what we need this year. We need \$6 million and then we need \$9 million," and quite accurately justifying it, then we don't place the funding of that in priority to what the other needs are. That is particularly difficult when it's not a government action. On the one hand, we agree that it is the Legislature that makes the decision; on the other hand the government in making its decisions has to



weigh it purportedly in priority to other things.

How do you weigh the Ombudsman in relation to health services? How do you weigh the Ombudsman in relation to community and social services? How do you weigh the Ombudsman in relation to education, and so on and so forth? When the government's making that allocation, and particularly since it is a legislative bill, we have got no other priorities to weigh it. Just out of curiosity, I put something to you and I say it constructively because we may be comparing apples and oranges or apples and peanuts—I don't know what we're doing here for sure.

Just as a quick example of some of the things that require attention or are certainly worth looking at, and because the timing of it is somewhat similar, let us look at the estimates of the Office of the Assembly. This year they started to allow constituency offices to be open and the budget for the constituency offices is approximately \$1,600,000. That's for 125 constituency offices across Ontario. The budget presented to us today for the Ombudsman is \$3,200,000, which is twice the amount. Far be it from me to try to compare them, but it is certainly a question that I can ask myself and I think rightly ask myself and you, how you relate these two types of things? Or do you relate them?

I just would like to state very clearly my opinion that any programme that is open-ended, that simply states that we must automatically budget for it because of the needs of the services of the community requiring it, is one of the reasons I submit—and this is a personal observation—that the government of Ontario is facing the fiscal problems that I think it is facing today. They haven't intelligently assessed the priority concept and have used that open-ended approach to decision making that I don't believe is good and healthy and proper. I think the real healthy approach is to be able to say to anyone we've got so many dollars to work with and we are going to do the best job we can with those dollars. That's my general statement on that.

In the specifics, could I ask you two questions: how many people are on the staff of the Ombudsman now and are you at your full complement in accordance with the budget that you have got here at this time?

**Mr. Maloney:** As to your last question, we have 83 people on staff now if you include every last dicta secretary and office boy, supplemented by a group of summer students numbering 10, who will be gone after the

summer is over when they go back to university.

To deal with some of the other matters you raise, I'd be unhappy if I said anything that would lead you to believe that I didn't concede that my estimates of what I felt were needed to carry on the job were not subject to the scrutiny of a group like yourselves for ultimate presentation to the Legislature. I certainly concede that. There is no question about that. I have reason to assure you that I think the Legislature has every right to dictate to the Ombudsman as an office of the Legislature what his budgetary requirements are. I realize the feasibility of bringing that result about by doing it through an all-party representative committee like the one I am presently appearing before.

[4:30]

On the problem of the constituency offices, the figure \$1.6 million is the cost of paying the rent and secretarial help for 125 constituency offices. The rent and the secretarial help are only a very small part of the total requirements of the Ombudsman. It is also a very small part of the total cost of maintaining the members of the Legislature. You have secretaries here, you have transportation, you have other facilities that are extended to you that have to be taken into account in determining the cost of maintaining you as members of the Legislature too. The \$1.6 million is what's needed to provide constituency offices, that is to say, to pay their rent and to pay the cost of secretarial help to maintain them.

The advent of constituency offices is going to increase the volume of your work, and if the volume of your work is increased it's going to increase the volume of our work. The constituency offices are great. I think they were a long overdue reform, but I don't think they supplement the work of the Ombudsman. I think if the members of the Legislature and the Ombudsman work hand-in-hand, as we should, and if you utilize our resources to the best advantage possible from your point of view, you'll find that it will be a very important working partnership.

As to the economic constraints to which you referred, priorities as between health services and that sort of thing, I think it should be borne in mind that the Office of the Ombudsman was brought into being in times of economic constraint and partly necessitated, I suppose, because of it. Certainly our volume of work has increased by reason of it. I suppose in a sense the rent review programme was brought into being because of problems with inflation and that sort of



thing. There is the Anti-Inflation Board. These are added expenses that are needed because of the problems that arise out of economic constraint programmes, and in a sense the Ombudsman is more important in times of economic constraint, to some extent anyway.

We sat down in the office and thought all these problems over. All the directors sat down and got together about what our respective requirements were going to be before we appeared before the Board of Internal Economy last March. We ended up with a figure that was a good deal higher than \$3.2 million. It was probably closer to \$4.5 million or even closer to \$5 million. We just imposed our own policies of economic constraint. We said everybody else has to do it and so we must do it. We just stripped it down to what we thought were its grim bare bones and we ended up with \$3.2 million. The staff of 83 that we have now is not the staff that's called for in the budget of \$3.2 million. The staff that's called for in the budget of \$3.2 million is 103.

**Mr. Shore:** If the budget's approved, that's what you're going to build to; 103, is it?

**Mr. Maloney:** Yes, because Ellen Adams is already feeling the pressure of cases, the backlog is growing.

Bill Atchison, who is the director of investigations, is embarrassed, as he reported to me this morning, about the fact that there's a backlog of cases that his investigators are just having difficulty getting caught up with because he doesn't have additional qualified investigators. If, as and when the amount asked is approved, these weak spots will be overcome.

**Mr. Shore:** I have a slight difficulty. On the one hand, I listened with great interest to the debate put forward in the last few days by the people strongly suggesting this should be accountable to the Legislature, and I certainly see the importance of that. On the other hand, I have great concern at the economics of a thing like that, when the Legislature doesn't have to relate its funding to anything else. All it has to do is put forward a fund, hand it over to the Treasury and that's what has to be. That is of concern to me and it bothers me.

It bothers me not only because of the direct effect it has, but the indirect effect it has on the other ministries that perhaps are going to be vying for the public dollar. I've got a problem, because on the one hand I do agree that the true independence of the office is through the Legislature; on the other hand,

I don't feel a true economic process is developed through just that process. I don't say it directly to you, I say it through you to the Chairman really. It's a concern of mine and it's a fear of mine.

The other thing, that may be minor and nitty gritty, is the effect of, perhaps the qualitative aspect of the people you're hiring, the indirect effect that may have on the economics of the whole government service process. I've seen it happen, the leap-frogging effect these things have. They don't care whether you're accountable to the Legislature, or whether the talent that you're hiring is much much better than anyone else's, because we all think we're the best. The fact you have that type of availability to you, bothers me somewhat as to what effect it may indirectly have on the whole wage and salary aspect of government services.

**Mr. Maloney:** I must say I don't think our salary structure is out of line. For example, a first class constable of the OPP gets \$17,500.

**Mr. Shore:** Let me put it another way. You may not think so, but let me ask you this question: How have you made the decision as to what you're paying anybody?

**Mr. Maloney:** First of all, under the Act, I was given power to engage staff and fix their salaries and remuneration, subject only to the approval of the Lieutenant Governor in Council, and so I started off with that. Then I said I'm not a member of the civil service, I'm not part of the civil service and I'm not in any way bound by the civil service. Besides that, I want a kind of service from the people who come with me that is not expected of people in the civil service. I want people who won't mind when I say to them would they give up their weekend and go off to see a psychiatric hospital in Penetang or a prison in Thunder Bay? Would they mind very much forgetting about going out tonight and staying at a meeting we're going to have at the office. There is just none of that as a problem in our office.

For example, I find when I call up a government agency at about 4:45 p.m. I get a commissionaire on the phone.

**Mr. Shore:** But you certainly took that into consideration in arriving at your salary range, didn't you?

**Mr. Maloney:** Probably I would have given them more if I had known how much overtime they were going to be giving me. When you take an investigator who has an MA in criminology—one of them has a couple of MA's, one of them has them in two different

disciplines—and we have all kinds of these people who have special qualifications in these areas, by giving them \$2,500 more than a first class constable gets, whose education requirements are considerably below that, I just don't see the imbalance, especially when they're prepared to work in the kind of dedicated way they do. I think I couldn't get people to perform in the dedicated way they do if I didn't pay the kind of money that is now being paid. I don't think it is that out of line really.

Do you think \$20,000 for a highly qualified, highly educated, highly trained investigator who does a tremendous job is out of line? Do you really think I could attract the kind of expertise I need if I paid him any less?

**Mr. Shore:** I can't answer that, I'm asking the question.

**Mr. Maloney:** I don't think I could.

**Mr. Shore:** I don't know enough about your operation but I know what I see and hear a little bit. That's the purpose of looking into these estimates, and unfortunately you can't really get all the information from these sheets of paper.

**Mr. Maloney:** I just want you to know, Mr. Shore, that you can feel confident that that office is staffed with a concentration of talent and expertise that isn't duplicated in any other agency of the province. In order to bring that about, in order to attract that kind of person to that particular type of job, I had, first of all, to have a new and challenging career to offer him or her, and had to give reasonable financial inducements to make it possible.

**Mr. Shore:** In conclusion I just hope that you, Mr. Ombudsman, and we, do not lose sight of the fact that ultimately, if you assume you get what you pay for, and I'm assuming we're getting what we pay for, that sometimes you have to say you can only afford so much. I hope we don't let that type of thinking be negative because I see nothing wrong with that type of thinking. If we ever get to the point where we don't think that way, we're in serious trouble, and we've gone through some of those years. Although I appreciate it and respect it and respect its people, I don't ever want to believe that we will put the Office of the Ombudsman in a position that it is any different, within reason, from any programme this province is offering its people.

**Mr. Maloney:** The main distinction between the Ombudsman operation and the

ordinary programmes is that this is really the first time in the history of the province that you, the Legislature, have brought into being a functionary whose sole job is to protect the ordinary little guy of the province from the hugeness of bureaucracy.

**Mr. Shore:** Right.

**Mr. Maloney:** As such, its responsibilities are immense, they are huge. That's the main distinction between us and the ordinary agencies of the province.

**Mr. Shore:** I respect that, and I think it probably is really important. I was not privy to all the debate that went on when it was established, but I accept the wisdom of those who made that decision. However, I hope we don't get carried away by motherhood statements to the point that we don't recognize there are economic factors in all these things—I tell you, it is very easy to do, and I hope we don't do it. I hope you, Mr. Ombudsman, will respect this body's obligation, if not its right, to make that type of decision. We can't always be perfect or get exactly what we want.

**Mr. Maloney:** I will always respect the right of the Legislature to tell me what it says I can have to carry on. I realize the Legislature speaks most effectively through its committees, but I don't feel very happy about thinking that the committee, through whom the Legislature speaks, has three ministers of the Crown on it.

**Mr. Shore:** No, I quite agree with that.

**Mr. Chairman:** The speakers are as follows: Mr. Kennedy, Ms. Sandeman and somebody by the name of Lawlor.

**Mr. Kennedy:** I reread your opening statement, Mr. Maloney, and I noticed there is a fair emphasis on prison situations and psychiatric institutions, with some statistics about the number of complaints filed and the disposition of some of them. I recognize that when the Office of the Ombudsman was established, there was some encouragement for those who felt unjustly treated or downtrodden, but I am wondering whether the office, at the first blush, has created among those unfortunates a buildup of expectations that aren't able to be fulfilled. Could you comment on that, Mr. Maloney?

**Mr. Maloney:** I am going to say a word in answer to it; then I am going to ask you to listen to Ellen Adams again, because she



has primary responsibility for people in these categories.

The Legislature recognized these people as having a very special status when the Act was passed, in that you provided they could write to me with their letters being unopened and uncensored, in absolute privacy and confidentiality. They have taken advantage of this special status, both in the prisons and the psychiatric facilities, but the prisons are where the greatest volume of work has come as a result of this special status that has been given.

Speaking in broad general terms, before I turn it over to Ms. Adams for a more specific response, I am satisfied beyond any shadow of doubt that the presence of Ellen Adams and the crew of people who work with her in this particular part of her responsibility, with their degrees in criminology and sociology and their background in correctional work, has had a very salutary effect upon the prisons of the province.

On the basis of what I have been told by prisoners and by custodial officers, I am firmly of the view that about three riots have been prevented from happening by reason of the presence of the Ombudsman's office, as represented by Ellen Adams. What the cost would have been to the taxpayer had they happened, we don't know; you can rest assured it would have cost a lot of money. While it is not by any means the most important part of our operation and it is not by any means the only part of our operation, from the point of view of the province, I think, it is one of the most important parts of our operation, and I am very proud of the way it is going.

The first criticism I ever got on an organized basis was from some guards the other day who wrote me an unhappy letter about our presence, but by and large the reaction of the custodial people and the reaction of the prisoners around the province have been good. If you don't mind, can Ellen now add to what I have said?

[4:45]

Ms. Adams: If I can just add to that. As Mr. Maloney said, Mr. Kennedy, I'm fairly certain that we have prevented at least three riots in different jails at some point. I was in the Ottawa-Carleton Regional Detention Centre shortly after a riot took place and one wing was totally destroyed. That kind of destruction, having to build it up again, is extremely costly and my feeling is that we have probably already paid our way by the very fact we prevented similar outbursts of hostility.

In some instances we were able to advise a superintendent, as outsiders coming in rather objectively, on what he could do in his particular establishment to sidetrack some of the hostility—whether it is trying to get hold of a punching bag and putting it up somewhere so that rather than bust in the face of a correctional officer or smashing up things, they can let off their hostility on a punching bag, which is surely preferable; or whether we could make other suggestions, they were always very well received.

The number of complaints we actually received from various institutions up to April 30 was 950, approximately. That isn't really very many when one considers there are about 6,000 people in our various institutions, in the jails, and the population itself changes all the time. The average stay of an inmate in an institution is approximately eight months, so there is a variable there.

This isn't the only thing we do. Right now, I have two of my investigators touring all of Ontario visiting every facility for psychiatric treatment and every facility for the retarded. We are doing this basically, first of all, to ascertain that no young person is in an adult ward in a psychiatric facility. We have had a few surprises like that and we want to make sure it isn't happening. We would like to look at some of the facilities for the retarded because problems have arisen in Orillia and these problems have also manifested themselves in other institutions. It's a problem of an open institution for retarded people.

There are problems of surgery for retarded people. Ever since the Developmental Services Act has been passed, there are certain problems. We would like to look at them and we would like to get in touch with the Canadian Civil Liberties Association and discuss some of these things with them because they fall into the field of civil liberties.

Out of it all I hope that recommendations will come which Mr. Maloney will bring to the Legislature. Again, I hope these recommendations, since they come from an objective body like the Ombudsman, might be much more acceptable than something which comes either from within the ministry or from a body totally outside any of the institutions.

I might add that on Saturday I had an urgent call. Somebody had to get a temporary absence pass today, otherwise he would lose a job which he had held for 27½ years and his whole pension was at stake. I phoned the superintendent of the particular institution this man was in. The superintendent was at home; he immediately volunteered to go back



to the institution, look at the file, and interview the man.

At the same time, he spoke very highly of my investigators who had been there. I thought that his co-operation and the way he spoke of the investigators from the Office of the Ombudsman was indicative of the acceptance by at least some, if not all, of the superintendents in the administration of the Ministry of Correctional Services facilities. If I may add something. I have a pet project I would really like to go ahead with and I can only do that if we get some money. It seems to me that a great deal of concern has been expressed in the media about juvenile training schools and we have also received a great many complaints from the schools. I am under the impression that the people of Ontario are concerned about juvenile training schools—what goes on in the schools; are they doing any good; are they not doing any good?

What we would like to do this summer—we have already worked out the methodology of this—is an intensive investigation of training schools. Basically, what we'd like to do is interview 100 young people who have come out of the training schools, 100 in the training schools, interview the staff, look at the training schools and come up with what we hope is a fairly comprehensive report, again, covered by recommendations. It seems that this is very important, because the accusation that is made all the time is that our training schools, in effect, create the inmates for the adult institutions. If this really happens I think we'd like to know about it. We'd like to do something about it. I think it's a stage at which we really should become very interested, and again, the Office of the Ombudsman can perform a very valuable task.

Actually, this is one of my major projects for the summer. At the same time, I have two of my investigators travelling across Ontario right now visiting all the psychiatric and retarded facilities. Unfortunately, the operations of my particular directorate are fairly expensive, because nearly every time we do an investigation we have to spend money on travel. Unless we really concentrate on central Ontario only and leave out northern, northwestern, southern and eastern Ontario, we're going to spend money. That money is going to be far beyond the money paid in salaries and it's really, by far, the greatest part of my budget too.

**Mr. Kennedy:** This study with juveniles would seem to be in the area of social service rather than a remedy of an injustice, real or imagined. I suppose you can't separate those out.

**Ms. Adams:** We've had reports of brutality and I'd like to know whether it still exists. A change took place in training schools within the last 18 months when section 8 was struck out of the Training Schools Act. What I'm trying to come to grips with right now is that among the kids within training schools there is either fact or legend, and for the life of me I can't separate the two right now, which indicates—

**Mr. Kennedy:** That's terrible.

**Ms. Adams:** —that at one time the training schools may not have been run very well. There may have been a fair amount of brutality because they were overcrowded and understaffed.

That situation has changed quite a bit. I don't think they are overcrowded or understaffed any longer, so that what may be happening today may be quite different from what happened two years ago. Meanwhile, all the training school staffs are suffering publicly from the kind of reputation that training schools had two years ago. Now for the sake of the training schools, for the sake of the kids in them, in fact for the sake of having a good system into which children are being brought, I think the Ombudsman should really make an investigation. It could be argued that it would be a royal commission set up by the government, but it could also be argued that the Ombudsman could undertake this perhaps much cheaper than a royal commission could.

**Mr. Kennedy:** You mentioned that 850 prisoners out of about 6,000 about 12 per cent, had written. Perhaps I misread it, but were you a little surprised there were not more? You are not thinking that all the 6,000 would feel they had a beef against their conditions and you might hear from all of them? Would that have surprised you?

**Ms. Adams:** I wouldn't have been surprised, I would have been overwhelmed, Mr. Kennedy.

No, I think the number reflects the normal number of people who might be dissatisfied with things for a variety of reasons, and some of them are quite valid. Some of them couldn't get a temporary absence pass; some of them felt their release date was incorrectly calculated—and I've come to the conclusion that every inmate is a great mathematician, they can figure out their release date to the day, and invariably they're right when we check it out. These may be small injustices, but if you think you should be released on one day and somebody else says: "No, you should be released a week later," that week

hangs very heavy, and they'd like to know that they get out the day they're supposed to.

We've managed to help quite a few of them. We've managed to help one of them get plastic surgery. His biggest problem was his whole face was disfigured. What we're trying to do is help people in institutions in a way which may make life a little bit easier for them when they get out, which may give them some faith in society, so they don't feel that everybody is against them and they continue to commit crimes and end up in institutions again.

**Mr. Kennedy:** Thank you very much.

**Mr. Maloney:** you mentioned you felt three riots have probably been prevented. We don't, as I recall, average three riots per year. Did it just happen as this office came into being there was this ferment? I know there was the Ottawa one. Can you comment on that? Is it just the way it happened to be?

**Mr. Maloney:** Ellen, you are more qualified to give the answer to that.

**Ms. Adams:** Ottawa was really ready to blow again, and by my investigators and myself going in there, almost on a monthly basis, I think we managed to monitor it and give the maximum security inmates an opportunity to let us see them. As a matter of fact, any time we go in there there is quite a line up for us now, and we have had a number of letters from them.

There is one letter we had quite recently, signed by nine of them, thanking us for going in there; thanking me and my investigators for going in there, and advising us that, to quote them, in their opinion we alleviated what they thought was "a very difficult situation." Although some improvements were still called for they thought that the kind of work we did was really excellent, and they wanted to be remembered. In fact, the last sentence was: "Please remember us to your investigators and of course to Arthur." So obviously they felt that we had done some good.

**Mrs. Campbell:** Pussycat.

**Ms. Adams:** The first time I went into that institution the air was so tense you could cut it with a knife. The last time I was there was Easter Saturday and it was really much better than I have seen it for quite some time.

There was another case where, because of a peculiar staff problem, the inmates were very upset—this was a different institution—and we had to cope with that. There is one

other in another area where, because of absolutely no recreation facilities, things were getting pretty tense and pretty hostile; we made some suggestions of what could be done to let off steam. Again, those suggestions were followed and we are fairly certain this prevented at least the beginnings of a riot.

Sometimes riots are sort of indicated by people phoning and saying there is going to be a hunger strike, so we send somebody in there and say: "Why is there going to be a hunger strike? What are you going to do about it?" We want to make sure the officers know how to cope with it. One of our problems is that some of the officers aren't too well trained. There should be far more staff development, and their reaction to something like this may be much more forceful than it has to be.

**Mr. Kennedy:** I mentioned earlier the expectation of prisoners; in any of your letters of inquiries, do they present their case that there has been a miscarriage of justice and that they were too harshly dealt with? It seems to me they go before the court and have all the processes of our court system, plus an appeal opportunity. I just wonder if some of your inquiries are of that nature; that they shouldn't have been subject to the sentence they received, or it was too harsh.

**Ms. Adams:** Mr. Kennedy, we wouldn't deal with those. We would simply have to explain to them that is not within the jurisdiction of the Ombudsman. We would only deal with conditions within the institution itself.

**Mr. Kennedy:** That is mentioned in the statement here as being beyond the jurisdiction of the Ombudsman. I see. In relation to the population, I suppose it is too early now to relate whether we have more applications to the Ombudsman in relation to population than a jurisdiction that has had an ombudsman for a number of years?

**Mr. Maloney:** Israel, with a population of about four million, averages somewhere between 6,000 and 7,000 complaints a year. If you take my starting point as June, 1975—because I really carried on the functions of the office over the summer, although I wasn't sworn in until Oct. 30—we have approximately 4,800 by now, in a province of 8¼ million. I wouldn't have been at all surprised had we had more complaints than that, although 4,800 is a good substantial number.

[5:00]



What the ratio is in the other jurisdictions compared to our own, I am not really at the moment able to say and I don't know that anyone with me today can say either. Perhaps Neils Orved could have done that, because he has given a study to that sort of thing. I would say we are higher than quite a few, but we are lower, for example, than Israel. We are probably lower than the Federal Republic of West Germany, which deals with its Ombudsman problems through a select committee of the Bundestag.

**Mr. Kennedy:** On another subject, you provided me with details of the employees salaries, and so on. Ken Cavanagh is listed as director of communications, and on another sheet "Kavanagh Enterprises" is listed at \$32,400, and it's spelled differently. Is there any relation between the two?

**Mr. Maloney:** If it's spelled differently, it's a mistake. But Ken carries on his enterprises under a corporation and I saw no objection to him coming into my employ under that status, and that's the way he is there. So the salary that is paid for Ken Cavanagh's services is paid to Cavanagh Enterprises; it's one and the same person.

**Mr. Kennedy:** And Ken Cavanagh and Ken Cavanagh Enterprises are two—

**Mr. Maloney:** Are one and the same item as far as the budget is concerned.

**Mr. Kennedy:** They are not listed as one and the same.

**Mr. Maloney:** The salary that is earned by Ken Cavanagh—

**Mr. Kennedy:** Are they two employees?

**Mr. Maloney:** No. The salary that is earned by Ken Cavanagh, the individual, is paid to Ken Cavanagh Enterprises.

**Mr. Kennedy:** Oh, I see. So it's one and the same interest.

**Mr. Maloney:** Right, that's the way Gordie Howe does it.

**Mr. Singer:** Is Eagleson acting as Cavanagh's agent, too?

**Mr. Kennedy:** We stick-handled through that one.

**Ms. Sandeman:** Some of my questions have been answered. I think maybe while I was in another committee you gave some account of how far the report of the institutions, on the jails, had progressed.

**Mr. Maloney:** Ms. Sandeman, I feel I owe an apology to the public for the delay with it. But I find it so complex and so important, and the work we've done on it is so detailed, that I have a first draft of that report on my desk now that I want to take the first two weeks of July to finalize, when the pressure that I have been under in the last few weeks is off.

**Ms. Sandeman:** I see. While I totally sympathize with what Ellen Adams and her staff are trying to do in the institutions, if I heard Ellen right, she said that she and her staff would like to help people in ways which would make it easier for them to handle things when they get out. I think that's excellent, but I wonder if that's what an Ombudsman's staff is for.

As I understand it, the Ombudsman is to investigate cases where the inmate, or who ever it may be, has been unjustly treated by the system. Now that may have a spin-off effect to make it easier for him to handle things when he gets out, but if you are beginning to see your role as a kind of super-criminologist and social worker, then I'm not sure that is what the Ombudsman's office is all about.

I think that should be done. I couldn't agree with you more that we don't at the moment make it easy or possible in many ways for inmates to function when they get out of the jails. I am glad you are doing it if you are, but I am not really sure that that is your function.

Maybe your function is to point out to those people who should be doing that how they are not doing it, how they are being destructive instead of constructive; and to say to the ministry, "You are, in fact, being destructive instead of constructive."

I just wonder where you are drawing the line. Are you running around preventing riots, when that is really the business of the Ministry of Correctional Services; or are you looking after individuals or groups of people within the institutions who are not being treated correctly and properly by the staff or by the other inmates?

**Ms. Adams:** I didn't want to go overboard on the social work aspect of this. I used it in terms of the chap, for instance, who required plastic surgery. Arrangements had been made before he went into that particular institution for that plastic surgery to be undertaken. He was a very young chap. It seemed to us that while he was sitting in an institution doing nothing anyway, that might as well be the time when the plastic surgery



should be completed so that when he comes out he won't have that ahead of him any more. To that extent, if we can help him adjust a little bit better by taking care of the plastic surgery so that it's done and he can look for a job at that point. It seems to me that this is something the Office of the Ombudsman can do.

In the same way, on occasion the prevention of riots is handled by dealing with complaints collectively. This is a rather interesting development in my directorate, as a matter of fact: To begin with, we dealt with complaints on a one-to-one basis. After a while, patterns develop and you realize that dealing with it on a one-to-one basis will be a never-never land; in effect, you can come up with various patterns which you then wish to investigate further.

I think those major investigations are still within the jurisdiction of the Ombudsman. They may do away with many more of the one-to-one investigations which we have to conduct on similar subjects. We do get complaints on the subject of assaults. It's a matter we have to look into and one that's very difficult to come to grips with, but we've now decided on the pattern to follow if we get too many complaints of assault from any one institution and if the inmates are willing to follow through on it, which is important.

There are some areas where we really wish to investigate much further right now. I don't think we're doing it as social workers or as criminologists, but rather we are dealing with a number of complaints on a certain topic or subject, which we then feel we should follow through to find out why we get so many complaints in that particular area and to do something about them.

**Ms. Sandeman:** Having discovered why you're getting so many complaints, what's the next stage?

**Ms. Adams:** The next step is to do a major investigation in that particular area, to take down statements, look at the facilities and consult with the ministry. If there is no correction, if it doesn't self-correct at that point, presumably it would result in a recommendation from the Ombudsman to the minister.

**Ms. Sandeman:** Have you had enough time and experience yet to see what happens to your recommendations to the ministry?

**Ms. Adams:** Not yet.

**Ms. Sandeman:** I can see a situation, for instance, in which you might wish to recommend to the ministry that all the staff of a

certain institution be removed from that institution, and I can see the ministry saying, "Well, I'm sorry, Ms. Adams, we staff our institutions and they follow out their orders—too bad." Or you might wish to say to the ministry, "The most healthy thing you can do with this institution is close it."

**Ms. Adams:** I doubt that kind of a blanket recommendation would be made by the Ombudsman in any case.

**Mr. Maloney:** But if it were, we'd face up to it; we'd have to make it. If the recommendation weren't carried out, we'd go to the Premier; and if the Premier didn't go along with us, we'd go to you people.

**Ms. Sandeman:** You see, I wonder if in some sense we're going to come to a situation where you may end up recommending policy to the ministries. Do you see it as your function to be the policy-makers?

**Ms. Adams:** Not necessarily, but if a policy results in injustice or if the interpretation of the policy results in injustice, then I think certain recommendations have to be made. I would ask that you give us some time, because we've only recently come to grips with the fact there are patterns. I've taken two of my top investigators and said, "Fine, I'd like you to do special investigations." Meanwhile, one of them has worked out the whole methodology on the juvenile training school thing; the other one at this point is trying to catch up with some of the things which require a little more investigation. I hope that by the second annual report, we will be able to report on a number of changes which have been recommended by the Ombudsman or a number of changes which have taken place because of recommendations at a lower level which did not have to result in official recommendations. Most of my inquiries are preliminary inquiries.

**Ms. Sandeman:** Could you suggest what form the report on the institutions will take? Are there specific recommendations to the ministry?

**Mr. Maloney:** Yes, you will find that when that report is given.

**Ms. Sandeman:** In specifics or generalities?

**Mr. Maloney:** The report will be one in which we will outline our investigations and observations first of all, and will make general recommendations of general application to virtually all of the institutions. Then we will make specific recommendations relating to each of the specific institutions.

**Ms. Sandeman:** I see. Mr. Kennedy asked you about Ken Cavanagh's salary. I'm still not totally clear about how that is shown on page 20 of your estimates. Under regular staff you've got an amount under salaries and wages for \$53—excuse me, \$53,000, I presume, \$53,500. Under services you've got Cavanagh Enterprises, \$32,400; on your sheet of salaries you've got Ken Cavanagh \$30,000—

**Mr. Maloney:** The present salary of Ken Cavanagh is paid—the services he performs, the salary he earns for them—is paid to Cavanagh Enterprises.

**Ms. Sandeman:** And it is \$32,400?

**Mr. Maloney:** At the moment his salary is \$30,000, but taking into account the increment that goes with 1976-1977, it comes up to \$32,000; but his present salary is \$30,000. For the purposes of our budgetary estimate for 1976-1977, we entered it as \$32,400. In other words, the total salaries to be paid for 1976-1977 to the communications directorate are the \$53,500 for the regular staff, plus the \$32,400 for Cavanagh Enterprises.

**Ms. Sandeman:** I see. There is one other question I wanted to ask you very briefly about jurisdiction. Do I understand, in response to a copy of a letter I got from Ellen, that contract staff under the ministry don't come under your jurisdiction? Can only complement staff in any of the government ministries come to you for help?

**Ms. Adams:** Basically, yes. With a contract person it really depends on the kind of contract. It wasn't clear to me at the time whether or not the contract was actually terminated at its proper place. I've since had a phone call from the person involved and he tells me that it was terminated in the middle of the contract, based on a clause within the contract. I have asked him to send me a copy of the contract. I hope it is at the office when I get back there. I want to have a look at it.

**Ms. Sandeman:** Generally speaking, are you saying there are huge numbers of employees of the Ontario government who are not going to be able to ask the Ombudsman for help?

**Mr. Maloney:** No. I wouldn't agree their problems are out of our jurisdiction.

**Ms. Sandeman:** In what cases would a contract—Ellen looks as if she would agree. Maybe you could have a little conversation about it and then tell me.

**Ms. Adams:** I checked it with one other member of the staff, and maybe the way I posed the question was rather difficult. Let me put it this way, it is certainly one I would like to get my teeth into.

**Ms. Sandeman:** Yes. That particular problem aside—which is worrying me as much as it is you but us not half as much as it is the guy involved—it seems to me that one of the ploys of the government at the moment, if I may be crassly political—God forbid—is to—

**Mr. Kennedy:** The subject is political.

**Ms. Sandeman:** Okay.

**Mr. Moffatt:** Just crass—not political.

[5:15]

**Ms. Sandeman:** Is to increase the numbers of staff on contract to the various ministries because the complements are frozen and if you need more bodies you hire them on contract. This is particularly true in the Ministry of Correctional Services where the number of people on contract has gone from about 1,000 to—I don't know the exact figure—it's gone up 30 per cent anyway this last year, the number of people on contract. If you are telling me that contract staff don't have the protection of the Ombudsman, I'm going to be a little worried and ask Arthur to formulate yet another amendment to the Act and make sure that they do.

**Mr. Maloney:** Our director of research right here is a walking encyclopedia. He's heard the question. Can you come forward and answer the question that's been put by Ms. Sandeman please? Mr. Brian Goodman.

**Mr. Goodman:** Just briefly, in answer to your question, any complaint that concerns the administration of any governmental agency, which includes boards, commission, administrative units, would fall within the jurisdiction of the Ombudsman, whether the person is a member of the civil service or not. I don't know whether that answers your question.

**Ms. Sandeman:** Yes, it answers me; but Ellen's looking very worried.

**Mr. Goodman:** We've received a lot of complaints from civil servants and a lot of complaints from former civil servants, and any complaint that concerns the administration of a governmental organization, whether it is received from a civil servant or from someone who was formerly a civil servant, or someone who was never a civil servant, falls within the

jurisdiction of the Ombudsman. Of course, there are certain procedures, rights of appeal or administrative rights that are available to members of the civil service. In other words they can file a grievance.

**Ms. Sandeman:** No, contract staff can't—excuse me—because they are not protected by the—

**Mr. Goodman:** No, I'm saying that the members of the civil service who aren't under contract can file a grievance. With those who are under contract, obviously there is a problem in that respect, and if they have exhausted any appeal rights they may have, certainly we can investigate their complaint. There is no problem at all. We are investigating complaints from people who are on contract. There's no problem.

**Mr. Maloney:** Ms. Sandeman, Ellen has laboured under her mistaken apprehension for only a period of two weeks and nobody has suffered a miscarriage of justice in the interval, and I'm glad you brought it to our attention. So no harm has been done.

**Ms. Sandeman:** Good, I'm glad we got that cleared up. Thank you.

**Mr. Moffatt:** Can I just ask a question: The case you are referring to, Ms. Sandeman, will that be now subject to investigation by the Ombudsman's office?

**Ms. Sandeman:** I think there was a question before as to whether it would be. Now I understand that it will be, come what may. Is that right?

**Mr. Goodman:** I will have to take a look at the facts in that particular case. I'm not aware of the particular facts of the case.

**Mr. Maloney:** It wouldn't be outside of our jurisdiction for the sole reason that was mentioned.

**Ms. Sandeman:** Okay, good. Thank you.

**Mr. Lawlor:** Thank you, Mr. Chairman. First of all, with respect to the Office of the Ombudsman overall, I have recently read—I hadn't before the debate setting up your office—the Hamlyn lecture in Great Britain by Mr. Justice Scarman. I haven't brought his statements with me today, but he makes a very powerful case. I won't belabour it because I don't think these estimates should belabour it. I think we should get what's before us without too much questioning or any other thing. It's absurd if it were otherwise.

Mr. Justice Scarman says, in a very powerful way, of the Ombudsman, that with the increased bureaucracy and ever cumulative role of what tends to be, under the mass system, an impersonal body, an injection of the personal element must be brought to bear through this particular kind of office as some method of fending the population at large overall and that members of the House of Commons in Great Britain—and certainly members of this House—simply are not in a position to afford that with the reach of the bureaucracy and the depth. And that's not going to change; the complexities are going to get greater, this is the way contemporary government is and this is the way our civilization is. As technology increases, that is the technology of human beings, the use of human beings as instruments or as things, you are precisely there to forfend against that particular thing.

This is such a very valuable office and one that must be protected. It is regrettable that of recent date there has been a certain amount of contention over it and I would trust there would not be division in the House or division among ourselves in any way with respect to your role, but from time to time these atavisms arise.

There are a couple of points. You have had your moments with Ian Deans, but I wonder about one point that he well makes. It seems to me your office ought not to be judged on the volume of cases that it does at all. That would be quite wrong. You can do something we as members really can't achieve. We are not volume-case people. We deal with cases one by one. But you can penetrate the veil. You can get to the core of a problem.

One of Deans' major contentions has been that, taking a single case, before you solve that case—you may solve 100 cases or maybe thousands for that matter—and that your chief intent and direction should be not in the accumulation of cases at all, but when an ill arises, created by a bureaucracy, created by some dislocation perhaps, that you go to the core of that dislocation, solve that and nip in the bud a whole host of cases.

We can't do that, you can. You have access in a way that is not available to us, and I would trust that would be a primary disposition of your office. You see, the question has to do with an extra layer—and that means really a numerical layer, a concentration on numbers—a concentration on straight quantity as a kind of justification for budgets or any other thing, and that's not the way



this particular area of government ought to work.

On a second matter, regarding the select committee, you are still in an experimental and empirical phase, groping your way and trying to find what the tie-ins happen to be. I don't think you have as yet developed a deep, ongoing, even intimate, trusting relationship with the members of the Legislature. I know you have tried to a considerable degree. I sometimes wonder what the liaison really is there, and how many cases each individual member does refer to you.

I think there remains on our side a certain jealousy. You know, we think we are pretty good. We think we can handle, by and large, the cases that come before us, reach a solution overwhelmingly and only in the extreme situation are we helpless.

I think that's wrong on our part. I think we should not load you with our cases, of course. It is our job to do them. It's what we are being paid for. On the other hand, there's a certain opening up and a sense of ease. You have set up an office in this building that sits as long as we sit. You are available to us. I sometimes wonder how many people darken that door, or brighten that door, depending upon what they are coming with, in that particular area.

On the other side, I think we require a cementing of the relationships with the members of the House by, I suppose, a greater attendance upon them in a sense, cluing them in as much as you can within the somewhat secretive terms of your references with respect to cases that arise in our constituencies. Something has to be worked out that makes that relationship more genial and more ongoing in an overall way.

I favour the select committee because I think it can perform that intermediary function that will be able to set up mechanisms—I hate the word—set up organic relationships of some human quality between your office and us, so we can explore how this can take place, be developed, and then any rubs or irritations that presently exist between one area and another will be eliminated. I don't think it's a question of healing but a question of being furthered and given the real engendering, and with that in mind I look forward to that committee.

I think the monetary function that committee is going to perform is de rigueur and regrettable, both at the same time, as I indicated in the House the other day. There are limitations to the nitty-gritty that select committees can perform. However, this being so

unique, I think we should attempt it, and see what we can do.

May I say to you, Mr. Ombudsman, I do personally find it very regrettable that these contretemps have taken place—and ought not to have taken place—and trust that you don't find it particularly unpalatable or offensive. But it was the only way, with everyone chafing to vacate the premises very shortly, that we could find, by way of attrition, by way of simply discounting other possibilities, that we were forced, really, to come to at this stage.

While I enjoy the curiosities—I think that's a light word—with the present chairman of that committee, I think we could very easily overload it as to what we can and cannot do with various select committees sitting over the summer. As I say, I wanted to express that feeling to you.

I am anticipating your report and you have made some statement about it. There are three reports, and I don't want to deal with the expropriation, since you've dealt with it. But just when might your report be before us?

Secondly, there is also that magnificent report on reform institutions. Let me say something before you answer the question. Your position overall, I suspect, would be monumentally bolstered by the presence of some of these reports.

I anticipate that the report on reform institutions will be a searching report and will pull no punches. It will show just how incisive your office is and intends to be within the areas of investigation which you take. It's a little regrettable that at this stage those reports are not before us, which would strengthen both your hand and our hand in this particular regard.

Could you give me a rundown on those two reports at the moment?

Mr. Maloney: Yes; regarding the report on the prisons, as I say, I want the first two weeks of July to finalize my present draft. I would have thought that, in the ordinary course of events, that report will be delivered to the minister and to the CSAO before the end of July. That's a much later date than I originally anticipated.

Mr. Lawlor: Yes.

Mr. Maloney: The Pickering report will be delivered tomorrow.

Mr. Lawlor: How about your own report?

Mr. Maloney: Oh, the annual report.

Mr. Lawlor: Yes.

**Mr. Maloney:** Mr. Glenn Hainey, executive assistant, is charged with the responsibility of ordering us all around in the office to make sure that we have our input into his hands. Our cutoff date for the annual report—that is to say the date we cut off our statistics; we cut off the cases decided—is July 10, which is the anniversary of the proclamation of the Ombudsman Act.

Therefore, the annual report itself will be ready if I have my way—provided you don't look at this as a firm commitment, Mr. Lawlor—by the end of August or the first part of September. Now we will run into problems about whether it can be released by Mr. Speaker before the House convenes, but it should be ready for presentation to the House the moment the House convenes; so that those will be before you.

Now it may be that tactically it might have been better had the report about the prisons and had the report about the Pickering affair been released before now. But in a way perhaps I am just as happy they weren't, for fear anyone would misconstrue my motive in getting them filed prematurely. I didn't want, while I was appearing before committees who had the responsibility of determining my budget, to appear to be twisting anybody's arm by the reports I hand down. In a way I am just as happy those reports are coming after these appearances.

Now with reference to one or two of the other things you said; I think the select committee is an ideal mechanism for the Ombudsman to establish liaison and rapport with the Legislature. The select committee on guidelines is still in existence—or is it?

[5:30]

**Mr. Singer:** That is a very interesting point. I was on that committee. We did a task; the task that was allotted to us. We were instructed to report by a specific date; we reported a few days later. I don't think we have any ongoing authority.

**Mr. Maloney:** In the blueprint that I promised, and that is being worked upon contemporaneously with our annual report, one of the recommendations I'm going to make for the Office of Ombudsman will relate to the existence of that very type of committee. If it's out of existence now, it would be my hope that such a committee will be revived, because I thought we got off to a very good start with that committee. We had two or three meetings and I thought it showed a lot of promise.

I can say that when my blueprint is ready that it will contain a lot of favourable com-

ment about the advisability of a select committee, not unlike the one they have in England.

**Mr. Singer:** If I may interrupt you again, one of the recommendations of that committee was that it be reconstituted for certain specific purposes, but I felt because of the specific wording of the terms of reference that it needed a further action of the Legislature to authorize it to sit again and to embark upon some of the things that the committee recommended.

**Mr. Maloney:** I agree with your observation, Mr. Lawlor, that part of the responsibility of the Ombudsman, by virtue of the specific powers you conferred upon him to initiate investigations on his own, is to nip cases in the bud—to work out a solution to a problem before it gets off the ground and thereby help resolve problems before they even happen. But I wouldn't concede that is his only function, because I think I'd be open to criticism if I were to decline to accept the problems of individual complainants to help them with their grievances.

Now when we get enough complaints from one source, for example from psychiatric hospitals or prison facilities, or if we get the same pattern of complaints about a particular board, for example, the Workmen's Compensation Board, these will trigger off omnibus style investigations for purposes of pure efficiency.

As I said, Ellen is going to start the juvenile training home investigation over the summer. This is triggered off by reason of a number of complaints we've received, which are more effectively and more efficiently dealt with in this kind of an omnibus inquiry, so we're on the same wavelength when we talk about those. But I wouldn't want to be in a position where I would decline—and indeed the Act wouldn't allow me to decline it—a request for help from an individual complainant. That will always remain, I'm sure, the largest volume of our work.

The reason the Legislature brought my office into being to help in the investigation of individual cases, to me is pretty obvious. The individual member is presently handicapped by the limitations on his right to have access to government files, ministerial files, to examine witnesses. You have no right to say to the deputy minister of whatever ministry: "Please come to my office for a hearing. I wish to interrogate you and your officials." And if you all had that power—I suppose you could give it to yourselves—if you all had it and you all exercised it tomorrow, there'd be chaos in the province.

So you set me up in business and gave me those powers, and on your behalf I exercise them. But you also gave yourself the power to refer complaints to me, so that if a constituent comes to you with a problem, you're entitled to ask me to deal with that problem because it's a problem that falls into a category in which it would be of importance to have access to the kind of information of which I have power to require production. It seems to me once the MPP starts to use the Ombudsman in that area, it's going to be—and already is for some of the MPPs who have come to us—a very important addition to the arsenal of things you use to help the people.

I'm sure there are a lot of cases will come before you, Mr. Lawlor, and a lot of your colleagues, in which you would feel it would be of value to have access to the reports that are on file in this ministry or that. You can't presently demand, effectively, their production. But you've brought me into being. You yourselves have given me the powers to do those things. You've also given yourself the power to file a complaint with me and when you do that, you set the machinery in motion whereby I find that information out for you, in effect. I think once the MPP realizes that, this sort of relationship will grow up between them and me; it's going to improve the rapport and remove any feeling that the Ombudsman is intruding on the MPP's domain.

There is another thing we try to do, for example, in our tours around the province and we have started this in a more organized way in the last month. People come out to see us in this private setting and we will ask them at the outset—bearing in mind the obligation of confidentiality in us—“Do you have any objection to our involving your MPP in the resolution of this matter?”

When we were in Renfrew county, for example, there wasn't a single one of the 147 who objected to it. What will follow from that is that a letter will go to Sean Conway for the cases we got in Pembroke; and a letter will go to Paul Yakabuski for the cases we got in Renfrew and Eganville. We will say: “We have this inquiry and with the permission of the complainant we are writing to tell you about it. The investigation is under way and we will keep you informed as to its progress.”

The development of that sort of a programme on an organized basis, don't you think it is going to help?

**Mr. Lawlor:** I ain't received any such letters.

**Mr. Maloney:** We were out to Lakeshore last—just before Christmas, weren't we?

**Mr. Lawlor:** Yes, you were welcomed to Lakeshore. We received you with open arms.

**Mr. Singer:** You have already solved all the problems there.

**Mr. Maloney:** Does that help to answer some of your—

**Mr. Lawlor:** Yes, that's largely true, that's very helpful.

**Mr. Maloney:** Is that an apolitical answer to what you said was a crassly political question?

**Mr. Lawlor:** Perfectly right. On areas of jurisdiction, I am looking at the University of Toronto law journal, from 1968, in which there is a long article about the British Ombudsman—the commissioner, rather. Their Act prevents them conducting investigations in cases where the complainant has or had a right of appeal to a tribunal established by statute—

**Mr. Maloney:** Completely, isn't that right?

**Mr. Lawlor:** —or under the royal prerogative; or where he has a remedy by way of proceedings in a court of law. This prohibition does not apply, however, in any case where the commissioner is satisfied that in the particular circumstances it is not reasonable to expect the complainant to resort to or to have resorted to this right or remedy.

I wonder if an amendment to the legislation might not be in order to bring it more in line with the British approach to the matter? I do think there are circumstances in which to exhaust appeal procedures, etc., is an onerous and perhaps unnecessary requisite in a particular context, particularly with tribunals of various kinds. You should have an area of discretion in which you can determine, as the British commissioner does, that you will be seized of the matter and proceed without going through all the machinery.

**Mr. Maloney:** By matter of a simple amendment to—am I looking at the right Act?

**Mr. Singer:** It is called the Ombudsman Act.

**Mr. Maloney:** This is your original draft I am looking at.

**Mr. Lawlor:** We are very close to that.



**Mr. Singer:** That's the Commissioner Act.

**Mr. Maloney:** Section 15, subsection 4 says:

Nothing in this Act empowers the Ombudsman to investigate any decision or recommendation, act or omission in respect of which there is, under an Act, a right of appeal or objection, or a right to apply for a hearing or review on the merits of the case to any court or to any tribunal constituted by or under any Act, until that right of appeal or objection or application has been exercised in a particular case or until after any time for the exercise of that right has expired.

Perhaps we might add: This proviso does not apply if, in the discretion of the Ombudsman, this requirement should not be deemed to be necessary—something to that effect.

**Mr. Lawlor:** Something like that; that's right.

**Mr. Maloney:** I don't see why that wouldn't be a very wholesome amendment.

**Mr. Lawlor:** Good for you. Turning to your—

**Mr. Maloney:** I wouldn't like to be limited in my jurisdiction, as the parliamentary commissioner is in England, to deal only with complaints brought to him by the elected member.

**Mr. Lawlor:** No, I quite agree with that. I think you should have that initiatory power; and secondly, be able to take whatever comes into your domain.

I want it clearly understood that I have no intention of ranging into what you have asked of the Board of Internal Economy on a previous occasion. You did submit a report to them and, remaining within the ambit of our estimates, a number of questions, nevertheless, were raised largely with policy and not with figures. You made a progress report to the board, dated March 1, 1976. In that you talk about a Mr. Terence Miller having been commissioned by your office to make certain investigations.

"The report which these gentlemen presented to me in December underlined the need for the Ombudsman [this is on page 8] to assist municipalities in their dealings with the provincial government agencies, departments and Crown corporations."

This statement has two faces—

**Mr. Singer:** Could I interrupt for a moment? Was that report distributed to mem-

bers of the Legislature? I don't recall seeing it.

**Mr. Maloney:** It certainly has been available. It wasn't mailed specifically to the members.

**Mr. Singer:** I don't recall having seen it.

**Mr. Deputy Chairman:** I don't believe it was.

**Mr. Lawlor:** I've never seen it anyhow.

**Mr. Maloney:** Would you like a copy of it?

**Mr. Singer:** Yes, I would.

**Mr. Maloney:** We'll see to it that you get one.

**Mr. Singer:** Let me ask, how did you get to know about it, Mr. Lawlor?

**Mr. Maloney:** It is right in this report. I filed it with the Board of Internal Economy in March.

**Mr. Singer:** Yes, but how did Mr. Lawlor know what was filed with the Board of Internal Economy, since most of it seemed to be under the heading "confidential"?

**Mr. Maloney:** I thought we were all provided with this.

**Mr. Lawlor:** We all have copies of it—if we're really on our toes, Mr. Singer.

**Mr. Singer:** Yes, if we know what to ask for.

**Mr. Deputy Chairman:** I wonder if we might forget the little exchanges back and forth at the other end.

**Mr. Singer:** That would be such a shame.

**Mr. Lawlor:** Yes, it would indeed.

**Mr. Deputy Chairman:** Okay, Mr. Lawlor, would you proceed?

**Mr. Lawlor:** It's fine to have a report coming in that way to assist municipalities; that covers to some extent the area of Mr. Justice McRuer's rejection, in his great report, of the Office of the Ombudsman provincially and his contention that what was necessary was a municipal ombudsman. I'm concerned the other way around as to the extension of your jurisdiction in investigate municipalities; in other words, if complaints arise through some misfeasance, malfeasance or some kind of feausance proceeding from municipalities, that people may be able to come to you to

raise the objection. I know that would be a very greatly expanded and very demanding situation, but do you contemplate that or contemplate making any recommendations in this regard?

**Mr. Maloney:** First of all, the Miller report is the report that advised me that the Ombudsman could assist municipalities themselves in their dealings with the provincial government.

**Mr. Lawlor:** That's the other side of the coin, yes.

**Mr. Maloney:** The Ombudsman Act expressly does not give me jurisdiction to deal with complaints against municipalities. Mr. McRuer, as you point out, was of the view that was the only ombudsman operation that the province needed, after we got through carrying out the rest of his recommendations, he felt there was no need for the other type of ombudsman. Well, all you people, including the government, thought differently.

Yes, I'm of the view that the citizen should have a right to complain against the municipal bureaucracy just as he has a right to complain against the provincial bureaucracy. This jurisdiction has been conferred upon the Ombudsman in Nova Scotia. I believe it has now been conferred in Alberta; certainly legislation to that effect was before the House. It has been conferred on the Ombudsman in New Zealand. England has set up a separate ombudsman altogether, a municipal ombudsman, to deal with complaints against municipal or local government.

I think there should be a remedy of the ombudsman type available to the citizen who wants to claim a grievance against a municipal government. I don't mean to imply that we're deluged with complaints against municipal governments all over the province. A lot of people don't complain to us because they know I don't have power to deal with them, but wherever I went in travelling around the province in the days when we used to have public hearings and people got up to make public submissions to us, there was a general feeling that a similar type of operation should be available to enable the public to deal with their grievances against the municipal authority. I don't see Ontario is that much different from most of the other jurisdictions.

**Mr. Lawlor:** Regarding the roles and functions of your office, I looked quite a bit to Israel as some kind of model. It has been long functioning, and the problems in that community must be very great indeed in terms of

ongoing life in a disturbed community, pressed from all sides, and therefore the lives of the individual citizens probably give rise to a range of problems that we are not really much up against, and in your report here on page 10, you speak of some of your journeyings, one to Israel. By the way, do you have the report of the Israeli Ombudsman in your possession?

[5:45]

**Mr. Maloney:** We have it at the office.

**Mr. Lawlor:** You have it at the office. I could go and look at it if I wanted to?

**Mr. Maloney:** We will send it up to you.

**Mr. Lawlor:** I would be very pleased to see it. I do not mean to go into details at the present time with respect to the importance and value of these meetings. You say: "This will be fully dealt with in the blueprint I have undertaken to draw up of what I believe will be the best possible Ombudsman operation for the Province of Ontario—even more efficient than the one now being used." What about that blueprint? That is different from your report, I take it?

**Mr. Maloney:** That blueprint is in the process of preparation at the moment. It's under the direction of Mr. Neils Orved, who is not a permanent member of my staff, but who is a lawyer in the city who worked with me on a similar operation in the Metropolitan Toronto police complaint procedure investigation. Under his direction, the blueprint is in the process of preparation.

In that blueprint, which I promised shortly after I accepted this appointment, I hope to spell out the guidelines for a good Ombudsman operation, how it ought to function in the future, what its relationship with the Legislature should be, how the liaison with the Legislature should be established, what its relationship with the cabinet minister ought to be, what its relationship with the entire ministry ought to be, the type of expertise he requires, the need for availability to people all over the jurisdiction in which he serves and whether that is accomplished by regional facilities or otherwise.

That is the sort of general area that will be covered in the blueprint, and this blueprint will be prepared as a result of having studied everything that has been written about the office of ombudsman anywhere, as a result of having studied the ombudsman operation in every other jurisdiction that has one, and as a result of having visited a few of them. That blueprint, I hope, will be a very important

contribution to the evolution of the ombudsman concept, not only in Ontario but around the world.

**Mr. Lawlor:** When will that be available?

**Mr. Maloney:** I promised that within the first year of my functioning. That means a deadline of Oct. 30. I would hope it will be ready in September.

**Mr. Lawlor:** If I may have a moment of comic relief. In your perambulations, Arthur, you arrived in Suva, Fiji. How is the ombudsman doing there?

**Mr. Maloney:** The ombudsman in Fiji is a justice of the Supreme Court of that country, and one of the great lessons you learn out of a study of his operation is the disadvantage that results from an excessive limitation of the jurisdiction of the ombudsman. For example, he has no power to deal with complaints relating to such organizations as what is comparable to Hydro here, to any boards, agencies or commissions that are set up by the government.

When you see in operation an ombudsman office that has these limitations on its jurisdiction, you see the great advantages of a wider jurisdiction. In fact, the only reason I went to Fiji was because I was on my way to Australia and I came down in Fiji as a place that I didn't have to come down in—I had to come down somewhere, but I selected Fiji because there was an ombudsman there, and while there, it gave me an opportunity to study his operation.

**Mr. Lawlor:** All right.

**Mr. Singer:** Are you going to let me have a few minutes before 6 o'clock, or are you going to talk that long, because I can't come back this evening?

**Mr. Lawlor:** What is your difficulty at the moment?

**Mr. Singer:** I said, are you going to let me have a few minutes before 6 o'clock or are you going to talk the clock out?

**Mr. Lawlor:** Are you going to come back tonight?

**Mr. Singer:** No, I can't come back tonight.

**Mr. Lawlor:** Oh, then I certainly will. How long do you need?

**Mr. Singer:** Perhaps the 10 minutes that's available now.

**Mr. Lawlor:** Well, I'll take it off of Fiji and you go ahead.

**Mr. Singer:** Thank you very much. I have two or three questions, Mr. Maloney. No. 1: I heard Ellen Adams say she needed the money, and I don't know whether she meant additional money, for this plan she has in mind. Does that imply you cannot function for the full year on the \$2.3 million but, in fact, you need the \$3.2 million?

**Mr. Maloney:** There is no question I need an amount in excess of \$2.3 million if I am going to carry on anything but a skeleton function for the balance of the year.

**Mr. Singer:** When, in view of what the Legislature did—do you anticipate that you will be going before, I presume, the Board of Internal Economy for the balance of that money?

**Mr. Maloney:** Well, \$2.3 million as a percentage of \$3.2 million would probably carry me until November or so, but I would anticipate I would have occasion to go before the Board of Internal Economy by September.

**Mr. Singer:** I see. In the event the Board of Internal Economy does not see fit to recommend a supplementary estimate, what then?

**Mr. Maloney:** I will cross that bridge when I come to it, but I wouldn't like to think what would happen.

**Mr. Singer:** Right. Now picking up on something that Ms. Sandeman started, I share a concern and many of my colleagues share a concern about a kind of general expedition into a specific ministry of government. Certainly it is a good thing, I would expect, to have Ellen Adams look at juvenile training, for instance. But I wonder if really this is the function the Ombudsman has.

For instance, if you felt the law of evidence was improper, would you feel that you should have done the kind of study that the Law Reform Commission undertook? For instance, if the study or the examination of this problem that Ms. Adams talked about leads to the conclusion that the minister of the Crown is thoroughly inept, where do you go from there? That the deputy minister should be fired forthwith—what do you do? That all of the assistant deputy ministers have long outlived their usefulness or never should have been there in the first place—what do you do then?

I don't really envisage—and I am expressing not only my view, I am expressing the view of a substantial number of members of my caucus, and I would expect a substantial number of members of the House,



as to the extent that you should appropriately go.

Question: Are you another level of government? I don't think you are.

Are you the opposition? I don't think you are.

If you come to the conclusion that, well, what we did the other day on this farm Act was right or wrong and/or indifferent, is it appropriate that you examine the proper method of aiding farmers? I think not. If an individual farmer is aggrieved because of actions of some emanation of Ontario government, by all means yes, but I wonder where that stops and general policy starts.

I have a feeling—and I am not saying this as any threat or anything else—that in the event you are going to embark on a whole number of general programmes—a concentration on reform institutions, for instance; if you are going to feel that you have to be concerned with all the handling of juveniles in the province rather than the running of an individual institution—that you should anticipate some substantial concern and perhaps even antagonism from members of the Legislature who feel you are walking right into their general bailiwick.

There is a line, it is a difficult line, that I have to draw and I recognize that, but if the main thrust for the additional money, and I listened to what Ms. Adams said, is to conduct a study of the whole handling of juveniles in the province throughout Ontario, I think there are going to be some unhappy members of the Legislature on all sides of the House.

Mr. Maloney: All right. Mr. Singer, first of all, you can see to some extent the different approach you have to the approach that Mr. Lawlor attributed to Mr. Deans. Mr. Deans is of the view we shouldn't be spending so much time on individual cases; yours is the view that that is what our real function is. We start off with that. There is a difference in philosophy on that part of the two of you, obviously, and probably a difference in philosophy on the part of a great many of you with respect to that.

The next thing to take into account is that the Ombudsman Act gives me power to investigate only decisions, recommendations, etc., in the course of the administration of a governmental organization in the Province of Ontario. I can investigate these decisions either because a citizen complains to me about an individual grievance; or because you, as a member of the Legislature, on behalf of one of them, complain to me; or on my own motion.

Apart altogether from any complaint, I have a right—it is a very important right which impressed me very greatly when I was considering whether I would accept this appointment—I have a right to initiate inquiries of my own.

Mr. Singer: I agree with that and I think you should have that right. It is most important.

Mr. Maloney: Then you get into the specific area you have mentioned—and this question arose, you remember, when I ventured into the prison investigation last fall; at our first meeting of the select committee on guidelines we had a discussion about it. At that time, I had on my desk a total of about 100 complaints from prisoners all over the province. Each one of them was entitled to have his complaint investigated.

Mr. Singer: Have you got 100 complaints from juveniles?

Mr. Maloney: No, we haven't got that many but we have quite a few which have been brought to our attention. I just don't think it would be responsible for Ellen Adams to go looking into these things on an isolated basis, even though she would have a right to do it under my direction, under my general power to initiate investigations of my own. I think when she has a group of them who complain to her—they are not all in the one institution or the one juvenile training centre—I think we would be open to criticism for lack of efficiency, lack of economy, if we were to conduct a whole series of different investigations when a more omnibus type of investigation was called for. I think it is productive of greater overall results.

I quite realize I am going to be confronted from time to time with involvement in problems which may be more political in nature than others. I don't really think I could say: "No Ellen, I am not going to authorize you to proceed with your juvenile training home investigation, even though you do have a few complaints which would justify it as a general investigation, because I would be worried the opposition might think that would interfere with their political position somehow or other." Or, "We can't do that, because that might embarrass the Conservative government. No, we won't do that."

I think I must remain aloof from those considerations. If the matter is within my jurisdiction and if it presents a problem and I think I and my office have a contribution to make I think I have to do it. I am cer-

tainly always going to be sensitive to the political picture in the province and I am not knowingly or deliberately going to get involved in situations in which I am going to undermine either the opposition parties or the government party in any respect. I am going to remain aloof from that sort of thing and I am going to call the shots as I see them.

**Mr. Singer:** Let me ask you one question. This year we have the one opportunity to ask you questions. Hopefully, there will be some other mechanism which will allow regular reviews.

Would it not be fair for a member of the Legislature or a member of the justice committee to say: "Why have you come to that conclusion? Give us a summary of the five complaints or the 50 complaints you have from juveniles which justifies this kind of an investigation." I know what many members of the Legislature think about this kind of a thing.

Quite apart from the niceties of whether you have the right to do it or whether the Act is broadly enough drawn to give you the right—it was broadly enough drawn and I am glad it was because we don't want to fetter you unnecessarily—I still think there is a duty and a responsibility to say, when you are into one of these broad fields, "We are into it not just because it might be done better but because of six or eight or however many complaints which say: Complaint A says; complaint B says; complaint C says—"

**Mr. Maloney:** What would worry me about that would be the right of the six com-

plainants, or in the case of the prison system the 100 complainants. What if I said to them, "No"—there is no way I could decline to investigate their cases. Under the Act, I am duty bound to investigate their complaints and I would have to have 100 different investigations which would be infinitely more expensive and have less of a beneficial, overall effect.

I see the problem you've raised, and on the other hand I'm not sure I know what the solution to it is. I would question whether the solution to it would be that I should come before either this new select committee on guidelines we're talking about or the justice committee and say: "I think I ought to conduct this investigation of the prison system or the juvenile training centre. What do you people think?"

**Mr. Singer:** Or the law of evidence.

**Mr. Maloney:** I can't see how that would ever arise.

**Mr. Singer:** Well, 100 lawyers might come in and say: "We're all agreed because the law of evidence is involved."

**Mr. Maloney:** Yes, but they've got to relate it to the action or decision of some government agent.

**Mr. Singer:** People are going to jail because of bad laws of evidence.

**Mr. Deputy Chairman:** It is now 6 o'clock. The committee will adjourn until 8 and then we can continue. Mr. Lawlor has the floor at that time.

The committee recessed at 6 p.m.

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Conway, S. (Renfrew North L)  
Kennedy, R. D. (Mississauga South PC)  
Lawlor, P. D.; Chairman (Lakeshore NDP)  
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Singer, V. M. (Wilson Heights L)

**Officials of the Office of the Ombudsman taking part:**

Adams, E. E., Director of Institutional and Special Services  
Goodman, B., Director of Research  
Maloney, A. E., Ombudsman













# Legislature of Ontario Debates

**SUPPLY COMMITTEE—2**

**ESTIMATES, OFFICE OF  
THE OMBUDSMAN**

**OFFICIAL REPORT — DAILY EDITION**

**Third Session of the 30th Parliament**

**Monday, June 21, 1976**

**Evening Session**

**Speaker: Honourable Russell Daniel Rowe**

**Clerk: Roderick Lewis, QC**

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## LEGISLATURE OF ONTARIO

### SUPPLY COMMITTEE

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MONDAY, JUNE 21, 1976

The committee met at 8:08 p.m. in committee room No. 2.

#### ESTIMATES, OFFICE OF THE OMBUDSMAN (concluded)

**Mr. Deputy Chairman:** Will the meeting come to order, please.

On vote 701:

**Mr. Lawlor:** As the unauthoritative chairman of this committee, I want to make an announcement—since very few of us are here. We will be doing Solicitor General at 10 o'clock in the morning in the hope of being able to finish up those estimates. I would think we would be able to finish these estimates very shortly tonight. It's not in our disposition or in our general temper of mind to cause any undue stress to the Ombudsman of Ontario.

On page 14 of your progress report you say: "I will meet in the future with the remaining deputy ministers, as well as the chairmen of the various boards and agencies of the provincial government." My question is: How are you doing? You've seen 15 deputy ministers?

**Mr. Maloney:** In fact, I haven't seen more than two since then. After what happened on March 1, when I went to the Board of Internal Economy, we'd become so preoccupied with budgetary problems and appearing before the Board of Internal Economy, and then later on the justice committee, and preparing our appearance before this committee, and making sure that everyone who is concerned about our budget is familiar with our operation, we just really haven't had time to do that. But I plan to see that through.

**Mr. Lawlor:** As Mr. Renwick said in an earlier day, it was a shame that your main efforts of recent date have been diverted from your central purpose and that you, like some LIP grant organization, or something

like that, have been obliged to perambulate elsewhere. It's a shame.

Okay; just one or two more questions.

You mention the Clarke Institute at page 16 and say, "We consulted psychiatrists." Arising out of that, you then set up your department of bizarre complaints and some special individual—I forget his name—

**Mr. Maloney:** I'd prefer if that particular subject could be discussed outside of the present situation, because it would defeat the whole purpose of it if too much discussion of that took place in public. I am very happy that your committee or the Board of Internal Economy should come down and inspect that part of the operation, but I would be sad if I had to make public announcements about it because it would defeat the purpose of it.

**Mr. Lawlor:** I respect that view. I think you are perfectly right. Okay. The only thing I would ask you, though, for my own personal purpose and I suppose for many of us who are working in the Legislature is, you do mention that they are going to help us to learn to assess bizarre letters and telephone calls and to suggest that a person consult a psychiatrist. I had made a note there saying, "How do you suggest that to an individual?"

Many individuals who come to see us are disturbed persons. Their complaint doesn't require any expert skill or knowledge of where to send individuals or how to get in touch with them. There is no complaint. The best method of handling it is to learn to listen, to listen to people and to empathize with them.

That usually takes the form of echoing back their complaints to them and if they hear another person saying somewhat along the same lines what they are complaining about it somehow soothes the whole wound and the situation. They go away at least a little happier than when they first came in, and that's as much as anyone can do for them. Have you any idea how you tell a person to go to a psychiatrist?



**Mr. Maloney:** Well, this programme has been updated since the preparation of this report. Yes, we have succeeded in a few cases, not many, in arranging a get-together between the claimant who suffers from the disorder and the Clarke Institute. We are impressed by that and we are pleased with it. But what has happened since this report was prepared is this, the Clarke Institute has been down to our office and met with us and seen our operation and it has laid on a course of instruction which has been attended by my staff.

They have been given a course on how to go about successfully conducting an interview of someone who suffers from one of these disorders, how to best ferret out his problem, how to best lead him to a state of mind where he would be willing to go to the Clarke Institute.

As a result, the interviews that take place between my staff now and people who fall into that category are far more meaningful. Let me just check. Brian Goodman, this is in your area of concern, the courses of instruction that we've got from the Clarke Institute. How many of our staff now, what percentage, would you estimate have been subjected to that course of instruction that was given by the members of the Clarke Institute?

**Mr. Goodman:** Well, in answer to your question—

**Mr. Maloney:** First of all, the percentage of our staff.

**Mr. Goodman:** Well, certainly half of the senior staff have been already attending these seminars. Obviously, we couldn't take the whole staff at the same time.

**Mr. Maloney:** What about the junior staff?

**Mr. Goodman:** What I'm talking about includes all directors, assistant directors, investigators and interviewers—those people who would have the most contact with individuals who need help.

**Mr. Maloney:** So you'd say about 50 per cent of them?

**Mr. Goodman:** Oh, yes.

**Mr. Maloney:** It is intended that this is going to continue, the balance will take the course as well. Is it your experience that people who have taken it have profited by it in the interviews that they have conducted?

**Mr. Goodman:** Absolutely, yes.

**Mr. Lawlor:** You, yourself, Arthur, have not?

**Mr. Maloney:** No, I personally didn't take the course of instruction. Although I wish I could, and I will try to, because I think it would be very helpful to me, too, to see what it is they have to offer.

**Mr. Lawlor:** What is the course? How many hours or how many sessions?

**Mr. Goodman:** I wasn't able to attend the first session. Perhaps Keith, who did attend or is familiar with it, could indicate.

**Mr. Maloney:** I'm sorry. I thought it was you, I apologize. I should have called on Keith.

[8:15]

**Mr. Hoilett:** There are two sessions which consisted, as I recall, of a series of approximately four or five lectures. The first set of lectures were held earlier this year, and the second set will be scheduled for this fall.

**Mr. Lawlor:** I see.

**Mr. Hoilett:** I would think at least 25 members of our staff attended the first set of lectures, and in the fall others will attend.

**Mr. Lawlor:** Did you take the first course?

**Mr. Hoilett:** I didn't go on the first course, but members of my directorate went.

**Mr. Lawlor:** I see.

**Mr. Hoilett:** The people with whom I discussed the matter certainly felt that it was rather a useful exercise. The whole idea was to deal with tight situations, which occur not only in our office but I am quite sure in many other offices, and in sort of a laboratory context, how best to deal with those situations. I am quite sure we have profited from that.

**Mr. Lawlor:** Among your recommendations, Mr. Ombudsman, why don't you recommend that all the members of the Legislature be subjected to the same insights?

**Mr. Maloney:** I'll leave that to you, Mr. Lawlor.

**Mr. Lawlor:** All right. You have law students working for you this summer?

**Mr. Maloney:** Yes, we do.

**Mr. Lawlor:** That is great. What are you paying them?

**Mr. Maloney:** We pay \$175 a week. We have got two articling law students who will be with us throughout the year. They are being paid \$200 a week. We checked with the Bar admission course and they accepted service in the Ombudsman's office as compliance with the articleship regulations. One of them serves under Brian Goodman and Kathryn Cooper, and one of them serves under Keith Hoilett and Tom O'Connor, legal officer and assistant legal officer respectively.

**Mr. Lawlor:** And there are other law students besides?

**Mr. Maloney:** There are other students, some of whom are law students, some of whom are university students. Last year we had one high school student. This year, do we?

**Mr. Page:** No.

**Mr. Maloney:** Not this year.

**Mr. Peterson:** Is \$200 the going rate for an articling student?

**Mr. Maloney:** It is what the Attorney General's department pays the law student, as I understand it. Is that correct?

**Mr. Page:** About \$13 more per week, but you must remember that civil servants receive overtime.

**Mr. Maloney:** And the Attorney General students get overtime, Mr. Peterson.

**Mr. Peterson:** What about in private practice?

**Mr. Maloney:** When I quit practice I was paying the students who worked for me, two of them, either \$165 or \$175. I suppose it would be a little more than that now, maybe \$175 or \$180. That would be the average.

**Mr. Peterson:** Frankly, it seems excessive to me. My understanding was the going rate was quite a bit lower than that. Maybe I'm wrong. I thought it was \$125, \$130, \$140. I may be wrong on that. I am getting old. I am not up with it any more.

**Mr. Maloney:** There may be a lot of firms who pay less.

**Mr. Peterson:** I am just resentful of what I got paid when I did it, that is all.

**Mr. Maloney:** I must say the two students I have had for the last five years—I don't mean the same two every year—were worth every penny of what I paid them. I couldn't really have got along without them.

**Mr. Lawlor:** Before I finish on this, I want to thank you for the kaleidoscopic view that you have given of numerous cases.

**Mr. Maloney:** That is fairly ancient. That is before March 1.

**Mr. Lawlor:** Yes, it is before March 1. Of course, your report will bring that type of kaleidoscopic view down, I take it. You can't dwell on individual cases, but it gives an overview.

**Mr. Maloney:** The annual report will be a good deal more specific.

**Mr. Lawlor:** It will, eh?

**Mr. Maloney:** Oh, yes.

**Mr. Lawlor:** I see.

**Mr. Maloney:** You will have a lot better picture of the cases we have handled, and how we have handled them, and what they were all about, that I felt free to put in the kaleidoscopic view.

**Mr. Lawlor:** At the bottom of page 22 you say, "In terms of the involvement of this office and institutions in the province an analysis indicates the following," and you go down, and break them down as to how the cases fall. The last one is "21 per cent involving private matters, including those cases where there are grievances against lawyers." What do you do in the case of grievances against lawyers?

**Mr. Maloney:** Well, the Law Society and its activities are out of our jurisdiction, so what we do is refer them to the Law Society. We worked out a liaison with the secretary of the Law Society whereby cases that are deserving of inquiry by the discipline committee are brought to the Law Society's attention by us. Do we do that in every case, could you tell me, Keith Hoilett, or just in some cases? If we get a complaint relating to a lawyer that is out of our jurisdiction, that would properly be before the discipline committee of the Law Society, do we personally contact the Law Society as a result of the liaison we have established, or do we advise the claimant about the Law Society and who to contact there?

**Mr. Hoilett:** No, we haven't done it in every case but quite often the complaint against the lawyer falls into sort of different categories. If it's the type of complaint that reflects on the integrity and professional conduct of the lawyer, then we point out to them that the appropriate forum is the Law Society. The other type of complaint is about

excessive fees, and again we point out to them that the appropriate remedy is to have those fees taxed. We point out as well that they have the right to representation by counsel on that taxation, including the right to legal aid.

There's also the type of case where they have already been to the Law Society but they are not satisfied; in that case on many occasions we would phone the Law Society and, by mutual agreement, they are often prepared to dig out the file, review the case and say, "I am sorry, we have looked at this matter already—in fact, several of our staff have—and there is nothing more we can do." At this point, we can at least report to the complainant we have canvassed the Law Society, they have reviewed the matter and, as far as they are concerned, there is nothing more that they can do. In that case, the next step is that we point out to them that the final arbiter of the administration of justice in the province is the Attorney General, and if they are so displeased, then they can refer the matter to the Attorney General. That's more or less the informal procedure which exists. On specific cases, we will check with the Law Society and see if they are prepared to have a look at this matter again.

**Mr. Lawlor:** As you know, complaints about solicitors' conduct should be prepared in duplicate and sent to the Law Society. Do you help prepare the complaints themselves?

**Mr. Hoilett:** No, I have never been directly involved in that.

**Mr. Lawlor:** Okay. I would like to raise two or three omnibus matters, without getting into specific figures—that's dangerous. Regarding staff development, I know that sums have been allocated to the clerk to pay for that service we have just discussed, but there are other sums under such headings as investigation, for instance. What have you in mind in the area of staff development?

**Mr. Maloney:** Brian, you are in charge of staff development, so would you explain to the justice committee what our activities are in that regard?

**Mr. Goodman:** First of all, the need for staff development is evident in an embryonic organization such as ours, and we have found that it is best to start immediately. As a result, one of the things that we did very early on was that my assistant director of research, Kathryn Cooper, and I gave a presentation to the whole staff on the Ombudsman Act, its interpretation and application, jurisdictional questions, investigations and so

on. The presentation was transcribed and bound, and it is available now for any new members of the staff; we obviously don't have to take that time now, except of course to answer questions after they have read it. That was very useful.

The other thing is that we are conducting special morning or afternoon seminars dealing with specific areas that come within the Ombudsman's jurisdiction. For instance, in the case of workmen's compensation, many of the members of the Ombudsman's staff have experience in certain areas but may not have any experience in workmen's compensation. We may then have a presentation by those directly involved, dealing with workmen's compensation complaints, the Act, the board, the appeal procedures and so on. This will also be transcribed and available for present and future members of the staff.

**Mr. Lawlor:** If I may interrupt you, Mr. Goodman, your own personal involvement with respect to overall staff development and WCB wouldn't involve any internal expenditure of funds, however.

**Mr. Goodman:** Well, it would certainly involve the cost of transcription. The whole point is to be able to give it once and to have it available so that any staff member who's dealing with it in the future, won't have to spend the time necessary to deal with it except to answer questions.

**Mr. Lawlor:** I'm sorry. What I'm after is the external expenditure of funds in this area.

**Mr. Goodman:** That is an external expenditure, Mr. Lawlor. For instance, when we gave our presentation on the Ombudsman Act it was the first time we experimented with the transcription. We had the person who transcribes these things for the Law Society come and, of course, he rendered an account to us. I don't know what it was; I didn't deal with it.

Also, as part of our staff development programme, Mr. Maloney felt that it would be of great benefit to the members of the staff if we had the wealth of experience of two leaders in the development of the Ombudsman field. First of all there is Donald Rowat, who I'm sure you are familiar with, who wrote "The Ombudsman: Citizen's Defender." He was a professor at Carleton University and is certainly an expert on the subject and is largely responsible, I think, for its spread in Canada. As well, the first Ombudsman in Canada, who was a former commissioner of the RCMP, Mr. McClellan, was invited to our office. All our staff members attended at City



Hall. It was a Saturday as I recall; again, it was a time which was convenient for him and he got into the nitty-gritty as opposed to the theory so we got both viewpoints. Of course, there were certain questions which Mr. Rowat was asked which he didn't have the experience to answer, obviously, because he'd never operated an Ombudsman's office. There are special programmes in the future that will involve external expenses, mainly the cost of transcription.

**Mr. Maloney:** And we pay the Clarke Institute for their part in the programme.

**Mr. Lawlor:** It comes to \$1,000.

**Mr. Maloney:** Is it \$1,000?

**Mr. Lawlor:** That's it, for the moment.

**Mr. Goodman:** We also invite other guest speakers. For instance, Bill Donkin, who is the area director of Legal Aid, gave our staff a talk on the Legal Aid plan.

**Mr. Maloney:** The transcript is the only cost there.

**Mr. Goodman:** Yes, that's right. There are certain costs involved in this; they are non-recurring costs. The advantage of this, of course, is that you lay out the money once and the transcript is available in the library for all present and future employees.

To complete the staff development programme, one thing I was desirous of doing when I assumed the position of director of research was to ensure that we had a body of memoranda of law which would be collected in a book and appropriately indexed. Any member of the staff who wanted to know whether the University of Toronto or boards of education were in our jurisdiction, would have access to that book and could read the memo. Then, if he or she had any questions, they could take it up with us. I think it helps them have a better understanding as to what our jurisdiction is.

**Mr. Lawlor:** Yes, I had an opportunity to leaf through that book, with Arthur's permission, when on a visit. It is quite elaborate and quite good.

**Mr. Maloney:** It's being added to all the time, of course.

**Mr. Lawlor:** Is it? The only other area I want to ask a couple of questions on is professional services. Again, I don't wish to project and you'll have to contend with this, I suspect, at the Board of Internal Economy, but what are the professional services? I take

it, first of all, that you won't need professional services by way of legal counsel?

**Mr. Goodman:** No, absolutely not.

**Mr. Lawlor:** You are internally competent, I would trust. The Attorney General's department is forever referring stuff out to counsel. They are apparently unable to reach conclusions within the department.

**Mr. Goodman:** To give you an example of what kind of professional services are required, obviously we have no medical personnel on our staff. Even if we did, we certainly wouldn't have the medical personnel, for instance, qualified to determine between two medical opinions dealing with an occupational health claim under a Workman's Compensation Board claim, as to which one should we give credence to. Or between engineers' reports. If there's a complaint against the Ministry of Transportation and Communications, you have very involved reports as to structure or location of bridges or culverts or roads.

[8:30]

We're the first to recognize that we don't have all the experts at our office and there are certain times when we are going to have to retain an independent expert. For instance, in the Pickering project it was necessary for us to retain the services of an appraiser. It has also been necessary for me, just last week, to retain the services of an appraiser where a complaint was made against a decision of the Ontario Municipal Board, and there were eight appraisal reports that were filed.

I'm the first to admit that I'm not an expert appraiser and I would certainly feel that it would not be my position for me to decide between appraisal reports and which one the board ought to have given the most credence.

I think that the complainant and justice is better served by us retaining the service of an expert who is qualified to look into the various reports. This isn't in every case. There are many cases where it's clear, from the medical opinions, that it's not necessary for us to retain an expert.

**Mr. Maloney:** But in the Jefferson case, for example, we had to engage the services of two psychiatrists and one psychologist, which resulted in his release. That's the sort of area of concern which was involved in that item in our budget.

**Mr. Lawlor:** Do you have to use external experts with respect to the administration of the Ombudsman's office?

**Mr. Maloney:** How do you mean? In the directorate of administration?

**Mr. Lawlor:** Yes.

**Mr. Maloney:** I really think that the director of administration doesn't himself require outside services, but under the umbrella of his directorate he'll pick up the tab for professional services that may generally be required that aren't otherwise assigned to another directorate.

**Mr. Lawlor:** What would they be, Mr. Maloney? What would they be that would not otherwise be required? Would you explain that?

**Mr. Maloney:** If we wanted to develop a computer system for summarizing our incoming cases or complaints, that would be an example. We found that the MGS reporting for our finances doesn't meet with our requirements, so we'd like to do a little work in that area. These things may be of a minor nature.

**Mr. Mills:** Mr. Maloney is quite right. In many cases expenses are centralized under that directorate which, properly speaking, should be allocated across the directorates.

**Mr. Lawlor:** Do you hold anybody on retainer external to your office?

**Mr. Maloney:** Yes. On consulting services, Mr. Neils Orved is the principal person in that category. He is supervising the preparation of the blueprint, and devoting many hours of work and time to that project.

**Mr. Lawlor:** What are his special qualifications?

**Mr. Maloney:** He's a lawyer of exceptional ability. His talents were known to me, because I retained him to work with me at the time I prepared the report on the police complaint procedure for Toronto. He's familiar with my *modus operandi*. This is exactly the *modus* I wanted to employ in drawing up my blueprint. It saved me hours of time and frustration to have someone who knew, as I say, my *modus operandi*. He knew what I wanted to do in the way of a blueprint and he knew how to collate and collect material to draw it up. He has given great direction to the preparation of this document.

**Mr. Lawlor:** That's fine. I'm not going to get into figures again, but that parking lot rent appears high.

**Mr. Maloney:** It is hard to define. We've got a number of cars used by the directorate of investigation, but they're not enough to deal with our requirements. We find that our individual investigators and interviewers and employees are required to use their own cars in carrying out their functions. We can't expect them, when they're doing that, to pay their own parking lot fees.

**Mr. Lawlor:** Do you use the underground parking lot across the road, the city hall one?

**Mr. Maloney:** Our main spaces are over in the Canada Life building, which we found the most economical arrangement. Do we have any spaces at the City Hall? We have four complimentary ones there. This would include, would it not—Mr. Mills, correct me if I am wrong—parking costs where an investigator goes out on an assignment and has to park his car in a parking lot somewhere?

**Mr. Mills:** That is supposed to be charged to that minor expense.

**Mr. Maloney:** So if I send an investigator out, or the director of investigation sends an investigator out on an assignment and he has to park his car in a lot while he is in conducting his investigation, that is included in that item too?

**Mr. Lawlor:** What are protocol funds?

**Mr. Maloney:** Protocol funds are the funds that are needed to take care of the entertainment of functionaries we are responsible for; we could call them part of the hospitality fund. They are the kind of thing that Ken Cavanagh has to use when he goes off as advance man to arrange our out-of-town tours. They are the kind of thing I have to be involved in if I am taking care of people who we are trying to familiarize with our operation, who it's important should know our operation.

They are for the kind of thing that is involved where visiting people come to Toronto who ought to see our operation. They will take care of the expenditures relating to the International Conference of the Ombudsmen, which is taking place later this year in Edmonton, and it will take care of the visits to Toronto of visiting ombudsmen from around the world who want to see our operation. That's the sort of thing that is covered there.

**Mr. Lawlor:** Good enough. I am specifically avoiding the nitty-gritty of trying to break

these things down. I don't think that's our function here tonight or with respect to this set of estimates. Just one little thing, and maybe I shouldn't even mention it at all—on page U3 of the Office of the Ombudsman, in your projection—I had volume 2 of the thing before the Board of Internal Economy back in March—your figure is wrong, and I am sure that would throw your estimates out completely. You have executive assistant A, two at \$20,000, and you get a total of \$60,000 and I suggest that before you get before that bunch of buzzards you alter the figure.

**Mr. Maloney:** Would you explain that, Mr. Mills?

**Mr. Mills:** I believe the answer is that we intended to hire one more, in the current fiscal year.

**Mr. Lawlor:** Oh, I see. Then you better change two to three.

**Mr. Maloney:** Yes, that's right. Thanks, Mr. Lawlor.

**Mr. Lawlor:** Apart from that, God bless you, carry on the good work. Oh, just a moment. There is one other question. What is DESS?

**Mr. Maloney:** Directorate of institutional and special services; that's Ellen Adams.

**Mr. Lawlor:** D-I-S-S?

**Mr. Maloney:** Yes.

**Mr. Lawlor:** Well, I've got both DESS and DISS.

**Mr. Maloney:** It should be DISS.

**Mr. Lawlor:** Fine, thank you. I am finished.

**Mr. Deputy Chairman:** Do any other members of the committee wish to speak to this estimate?

**Mr. Kennedy:** I have a quick question, since I have a veteran's case in front of me, and you may have explained it earlier, Mr. Maloney. What do you do when a case is obviously federal?

**Mr. Maloney:** Where it is feasible for us to do it, and this is true in a great many cases, we will not only notify the individual that his problem is federal and what branch of the federal authority it belongs to, we will try to establish a contact for him in the fed-

eral authority where we feel it would be productive of good results. We will actually contact that branch of the federal authority, establish a contact with somebody in it and put them together with the person who comes to us.

We find a lot of unemployment insurance cases are cases in which we have been able to help by establishing a contact with somebody in the branch in Toronto. We will stay in the case, we will try to resolve it, and we find we have resolved a few cases that way. The bare minimum we'll do for the fellow will be to tell him what jurisdiction his case belongs to, what branch of that jurisdiction and what individual to contact, and where it is feasible to do so we will actually put him together with the individual in that jurisdiction who can help him.

If you look at the debates in the Legislature, one of the things I was reminded of was that a lot of people would come to me not realizing the limits of my jurisdiction, that I should be careful not to dismiss them from my office and simply say, "It is out of my jurisdiction." You should help them find their way around. We have done that. It has been time-consuming but I think a very worthwhile part of our operation.

**Mr. Kennedy:** That is what members are confronted with from time to time, or have brought to their attention, and municipal cases, too.

**Mr. Maloney:** That's right. We try to do the same thing there.

**Mr. Deputy Chairman:** Okay, any further members wishing to speak on this vote?

Vote 701 agreed to.

**Mr. Deputy Chairman:** This concludes the estimates of the Office of the Ombudsman.

**Mr. Maloney:** I want to thank you, Mr. Chairman, and members of the committee for the expedition with which you have dealt with our estimates today. I have enjoyed my appearance before you. I am grateful to you for your courtesy. Thank you.

**Mr. Deputy Chairman:** The committee is adjourned until 10 a.m. tomorrow morning to deal with the estimates of the Solicitor General.

The committee adjourned at 8:40 p.m.



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Lawlor, P. D. (Lakeshore NDP)  
Peterson, D. (London Centre L)

**Office of the Ombudsman officials taking part:**

Goodman, B. P., Director of Research  
Hoilett, K. A., Special Assistant and Legal Officer  
Maloney, A. E., Ombudsman  
Mills, A., Director of Administration  
Page, J. P., Director









Government  
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# Legislature of Ontario Debates

SUPPLY COMMITTEE—2

ESTIMATES, MINISTRY OF  
THE SOLICITOR GENERAL

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

Tuesday, June 22, 1976

Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

## SUPPLY COMMITTEE

TUESDAY, JUNE 22, 1976

The committee met at 10:12 a.m. in committee room No. 2.

### ESTIMATES, MINISTRY OF THE SOLICITOR GENERAL (concluded)

On vote 1505:

**Mr. Deputy Chairman:** We are on item 7 and have two votes left. It's conceivable that we could finish these estimates today. Did the member for Mississauga East want to lead off?

**Mr. Gregory:** I did miss part of the last meeting, and I believe this subject might have been broached, but I'm very interested in the newspaper reports that have been appearing lately regarding Mrs. Lastman and her "Fuzzbusters," as I think she calls them. This seems to be getting an awful lot of play in the newspapers.

I'd like to have the minister's comments on it. It seems to me this is a subject that is sort of viewed with a little hilarity, but to me it's serious when a product is being put on the market that enables a civilian to beat the law.

To me speeding laws are made to catch people and prevent people from speeding. But if a device of this type is employed by civilians, then they can speed at all times other than when they know there's a police officer or there's a radar unit available. This seems to me a strange way of applying a law. Really, Mr. Minister, what I wanted to get was your views on the legality—well, I suppose not legality, but whether, in fact, we should be allowing this type of device to be marketed. What makes it worse is that it is being promoted by the wife of the—

**Mr. Singer:** Mayor.

**Mr. Gregory:** Let's say a leading citizen of North York.

**Mr. Singer:** And defeated Tory candidate.

**Mr. Gregory:** And defeated Tory candidate, yes. Okay. That's probably one reason why he was defeated. The ethics didn't quite stand up to our standards.

**Mr. Breaugh:** You said that.

**Hon. Mr. MacBeth:** Thank you very much for the question I didn't know what you meant at first, but I gather you're referring to radar detection. I haven't read the articles. I don't like them, but I don't know what we can do about them. You'll welcome, I know, some comments from the traffic section of the OPP. I think, Mr. Chairman, that that would probably belong in there, but since these votes are similar and just divided down the middle, I think maybe we can go from one to the other.

I've always noticed those people who blink headlights at you if you are coming the other way—and I'm always grateful.

**Mr. Chairman:** Can the police charge you if you try that trick?

**Hon. Mr. MacBeth:** I don't think so.

**Mr. Chairman:** I think they can as a nuisance or creating a disturbance

**Mr. Gregory:** I understand so.

**Mr. Singer:** I saw them once lay a charge for obstruction, which the presiding judge threw out quickly.

**Hon. Mr. MacBeth:** Surely, the law is to stop speeding or stop breaking the law. I suppose in one sense what you referred to as the Fuzzbusters do this, at least for a short period. In other words, drivers slow down when they get the buzz on it. But I think, as you say, it is defeating the purpose of the law, even to a greater extent than those people who blink their headlights at you. I'm talking now off the top of my head. We haven't had any discussion on it but it's the sort of thing that I think should be banned in some way or another. Let's have an official opinion from someone in the police—when I say official, I mean a more technical opinion.



**Mr. Gartner:** We haven't noticed any problem with it so far, but it's hard to detect. However, our new two-way radar picks up cars three-quarters of a mile away; they can't defeat this—as yet.

**Hon. Mr. MacBeth:** Are you saying it really won't present any problem to you?

**Mr. Gartner:** It could, but it's hard to measure the amount it does present a problem. Our speeding charges for the year are up 51 per cent, so it can't be too effective. We're also doing a lot more radar now than we did before.

**Mr. Gregory:** I'm not particularly interested in whether the police are going to have trouble with it. One of the reasons we have speeding laws is for the protection of citizens—not to give the police a tool to have fun with. What happens if a person is killed by a speeding car minutes after or minutes before passing a radar unit? In other words, let's say a car travels at 30 mph on a city street, within the speed limit, so long as it's within range of that radar; but then it immediately starts to speed up to 70 mph before it gets to the next radar unit—in other words, it's skipping all over the place—and in the meantime somebody gets killed as a result of this. By allowing this, aren't we aiding and abetting the very dangerous driver on the highways?

**Hon. Mr. MacBeth:** I think we are. If this machine works, it's allowing them to speed with impunity in the sense that they will speed whenever they want, knowing that this machine will warn them when radar is activated. It's not going to stop them from being caught by a policeman who is following them in some way, of course, but it's encouraging a certain disregard or disrespect for the law—even the name Fuzzbuster. However, I think the police of this country are strong enough to stand up to that sort of thing. It would require some kind of legislation, I suppose—I don't know of anything at the present time—to stop them from being used, and I don't know whether that would be provincial or federal. It's a good subject; all I can say is we'll look into it.

**Mr. Singer:** Mr. Chairman, there's one aspect to this that I found particularly objectionable. On the CBC morning show they interviewed this lady, and she said she was doing it with the knowledge and blessing of the police. The following morning the Metro chief was interviewed, and he certainly gave no blessing; he condemned it. I wonder if

the OPP, or the minister on behalf of the OPP, or the minister himself could say that at least he frowns on it and it's not done with any official blessing, pseudo-blessing or even approval.

**Hon. Mr. MacBeth:** As I say, we haven't had any discussion on it. Off the top of my head, as I've said already, I frown on it. But when you look at all the civil liberties there are today, and the talk of civil liberties, I don't know what kind of legislation we'd need to do away with it, whether it would be federal or provincial, or whether the public generally feel that it's the sort of thing they should be allowed to do. I don't know but, as I said right at the start, I don't like it and I'll investigate and see what we can do about it.

**Mr. Gregory:** Mr. Minister, Mr. Drea tells me that apparently there was a device of this sort banned some time ago; I wasn't aware of it or how it was handled. I'm just wondering how fast we'd handle it if somebody came out with a product that would warn bank robbers that police were in the neighbourhood. I'd like to see that looked into.

**Ms. Sandeman:** Just in the context of that discussion, surely the Criminal Code provisions about obstructing the police would cover that situation, and if the police were to lay a few charges it might have some deterrent effect.

**Hon. Mr. MacBeth:** I honestly don't know; it may do. But I'll be glad to get a legal opinion on it and see what can be done.

**Ms. Sandeman:** I wonder whether this vote, the law enforcement vote, would cover the field operations of Indian policing services?

**Hon. Mr. MacBeth:** Yes.

**Ms. Sandeman:** Could you bring us up to date on the programme and the progress of the native policing? How many people you have in the field; how it's going.

**Hon. Mr. MacBeth:** Yes, I haven't got the exact figure but I am sure that Mr. Gartner has. Generally speaking, the programme is functioning well. We have had a few setbacks in connection with it; it's working better in some areas than it is in other areas. As far as numbers and more detailed questions are concerned, Mr. Gartner or Mr. MacGarva, either one, can bring us up to date.

**Mr. Gartner:** We have an Indian policing services section at headquarters, composed of

a chief superintendent who manages the programme, and a staff superintendent who is second in command and is the chief liaison officer with the Indians.

**Ms. Sandeman:** Who is the chief liaison officer?

**Mr. Gartner:** Staff Superintendent MacGarva who served in the north for about 20 years before coming to Toronto.

**Ms. Sandeman:** Where does Bill Brant fit into the programme?

**Mr. Gartner:** He is in this programme. He is an Indian adviser; he is a full-blooded Indian who is expected to advise members of the unit on native culture and traditions to which they might unwittingly react in an offensive manner. He acts in great measure as a resource person in the area of training band constables or OPP officers to work on near reserves.

**Ms. Sandeman:** Is he the same Bill Brant who was the constable on the Curve Lake reserve about three years ago?

**Mr. Gartner:** That's correct.

**Ms. Sandeman:** Are you aware that there was a lot of unrest among the native people during the time he was there and several of them felt that his relationship with the band wasn't very productive?

**Mr. Erskine:** I looked into that at the time. He had been a member of the RCMP; he had been a member of our force and when he left our force to go to university, during the summer months he was at the Curve Lake reserve near Peterborough. Looking into it at the time, the problem was there was some animosity toward him on the part of the people there because he came from another reserve. His reserve is near Belleville. We didn't find anything in his behaviour at that time that we could really feel was his fault.

**Ms. Sandeman:** That may speak to the necessity of having the reserves policed by people who are living on and familiar with the reserve. Is this what the programme is now trying to do?

**Mr. Gartner:** Yes. We have, I believe, 59 Indian constables holding special constable status on the different reserves throughout the province. This is to be expanded to 78 by the end of the year, we hope.

**Ms. Sandeman:** Yes. I know the fellow you now have at Curve Lake lives and works there, and is accepted and is doing a great

job. I think that's probably the difference between now and three summers ago.

**Mr. Gartner:** That's right. We find that in many areas. The Indian constables don't like to serve in other reserves.

**Ms. Sandeman:** Yes. I am sorry; I interrupted your general description of the programme.

**Mr. Gartner:** That was the Indian adviser. Then we have specially selected OPP constables and NCOs—they are all volunteers—who were trained at Lakehead University. They are on the reserves on a two-year basis and there will be others trained to replace them when their time is up.

At Grassy Narrows we have one corporal and three constables plus two Indian constables who hold special constable status. No, not at Grassy Narrows; sorry. We had two Indian constables who terminated their employment and the band has not passed a resolution asking for any other constables at this time.

**Ms. Sandeman:** What policing do they have on the reserve at the moment?

**Mr. Gartner:** They have one corporal and three constables who live adjacent to the reserve and they police the reserve. This is at Grassy Narrows.

At Islington, which is Whitedog, we have six OPP constables, stationed at Minaki, who police the Whitedog Indian reserve. We have an office on the reserve and they patrol there and spend some time in the office at the reserve.

At Shoal Lake we have five OPP constables and two Indian special constables; this is outside Kenora. We have quite a list of where the other Indian constables are, if you would like that.

**Ms. Sandeman:** No, don't read the whole list.

**Mr. Gartner:** But at almost all the other reserves there are Indian constables, special constables.

**Ms. Sandeman:** When you say almost all, how many reserves do you still have without special constables?

**Mr. Gartner:** Whitedog is one, because they have never passed a resolution asking for an Indian constable.

**Mr. Lewis:** It's not fair to walk in on that; what did you just say, the last thing you said?

**Mr. Gartner:** The Whitedog Indian reserve has never passed a resolution asking for an Indian constable. We have approached them several times. Our Staff Supt. MacGarva has talked with them up there. They haven't passed a resolution asking for any Indian constables as yet.

**Ms. Sandeman:** Why were the two constables who were at Grassy Narrows terminated? What is the reason that they are no longer there?

**Mr. Gartner:** I understand it was a mutual arrangement. They weren't doing the job there. They were away guiding most of the time, and that wasn't their job. They were being paid to police the reserve and it was a mutual agreement.

**Ms. Sandeman:** Mutual between?

**Mr. Gartner:** The OPP and the band.

**Ms. Sandeman:** They have been replaced?

**Mr. Gartner:** No, they haven't passed a resolution asking for anyone else.

**Ms. Sandeman:** The Minaki detachment is six people, did you say?

**Mr. Gartner:** Yes, there are six constables assigned to the Whitedog Indian reserve.

**Ms. Sandeman:** Is that the total detachment at Minaki?

**Mr. Gartner:** No. There are others there, a corporal and five other men.

**Mr. Lewis:** May I ask questions on a specific matter? I'll not take the time of the committee unduly. Do I take it from the minister's reply in the House that you have decided to leave the policing of Whitedog to the Minaki detachment, and that it is not, in fact, your intention to provide for Whitedog what you have provided for Grassy Narrows by having on-site facilities?

**Hon. Mr. MacBeth:** I think I indicated, Mr. Lewis, that as far as the present time is concerned we were restricted as to numbers, but if we can get Indian constables who are properly trained from that reserve we would be glad to do something about it. At the present time I indicated that we had no intentions of changing it immediately, pending suitable constables from that area who would be acceptable to the Whitedog people, the request that has already been mentioned and funds. There is, as I understand it, on the Whitedog reserve a police building there which they work out of when they are there, but no police are actually living on the

reserve. Yes, we will do our best to improve that as these other items make it possible to do so.

**Mr. Lewis:** As I understand it, you were to deliver an answer to the Whitedog band by July 1 as a result of the meeting which was held earlier this month and its request for the policing facilities to be on the reserve itself? I take it from everything you have said in the House and you are saying here this morning, that in fact you have decided not to put the policing physically on the reserve. Has that been communicated to the band council?

**Hon. Mr. MacBeth:** I don't believe so. At least, I don't know whether they got into policing in the meeting that Mr. Brunelle and Mr. Bernier had the other day or not.

**Mr. Lewis:** Supt. MacGarva was up, I gather, with others meeting with them, and I understand the result of the meeting was that by July 1 you would give them an answer. Since the answer is now clear, why don't they know? Can I ask: Why haven't they been told?

**Hon. Mr. MacBeth:** I haven't had any discussions with Mr. MacGarva in connection with it, but the answer I gave you in the House was the present position pending the possibility of getting suitable constables from that reserve—not necessarily from that reserve but who are acceptable to them—and finances to put the accommodation on the reserve, and I can't see that that will be within the next half a year or so, sir.

**Mr. Lewis:** I understand. But again, why do I know? Why does the Legislature know? Why does the committee know? Why has the band not been formally told?

[10:30]

**Hon. Mr. MacBeth:** I can't give you the answer to that. The original request didn't come to me. I don't know where the request went to. It went to the police, did it? The original request?

**Mr. Gartner:** There is a report coming to you, Mr. Minister, before you take any action.

**Hon. Mr. MacBeth:** There is a report on its way to me.

**Mr. Lewis:** I simply want to urge you, in the interest of the communication which seems to harass everything in the northwest, that the band council not read about it simply as a result of discussions in the House but that they be told formally that the re-



quest they made is not acceptable to government, that they will be covered by the Minaki detachment and that you're leaving open the option in the future.

I should say, for what it's worth, it may not be worth very much, that I think it is a mistake. I think if there is an incident on the reserve and some of the council members resign or Chief Mandamin resigns or something really goes amiss, it will be a very sorry commentary on the approach. The \$40,000 that we're talking about seems a small price to pay in terms of the events of the last several years on that reserve, but I do think the band should be told that you're satisfied the six constables a day, on whatever rotation, will do the job.

I simply want to point out how strongly, how compellingly, the band council has put the argument that their lives are in danger, that they're trying to effect changes on the reserve which require a detachment on the reserve physically, and that if something goes wrong they may even resign. That would be disastrous in the context of Whitedog, which has a very superior council and a very excellent chief. I've never quite understood why the restraint programme has to operate in areas like this, since we've been showing excessive restraint where that band is concerned ever since we threw them all onto the unemployment rolls.

I don't want anybody to be mistaken as to the implications of the decision. The implications of the decision may just be calamitous and nobody should kid himself about it. I was present at a meeting with Staff Supt. MacGarva and Messrs. Carpenter and Robinson from the band council and some others who were there—Staff Supt. MacGarva was kind enough to let me sit in—and although it was clear in the minds of the OPP that there was not to be physically located policing on the reserve, there was clearly a different conception in the mind of the council.

However these things occur, there was a genuine misunderstanding, and that genuine misunderstanding which exists today has led the band to feel very anxious about being policed from Minaki because, as Staff Supt. MacGarva himself admitted, the policing from Minaki was inadequate because those who had been assigned had jobs here in Toronto to complete. So at precisely the point when the band was trying to deal with difficult internal problems, there was no regular and adequate policing on the reserve.

All of that has added to the sense of unease on Whitedog. I don't know how that is

overcome, except by putting a detachment on the reserve. Since you don't want to do that, for heaven's sakes, tell them specifically of your intentions and do make sure that the six constables are there kind of at every potentially difficult hour of the day. I don't have to predict what will happen if something unhappy occurs.

**Hon. Mr. MacBeth:** Mr. Chairman, I appreciate those comments. I believe one of the problems is that official communications travel much slower than the press reports or people actually visiting. I haven't got this report yet that Staff Supt. MacGarva says is on its way to me so I don't even know what the recommendations are. You say, well knowing this might possibly come up, maybe we should have a discussion on it, and that's a fair comment. At the same time, we will be making an official communication, but the reports of this meeting will probably get back to Whitedog and Minaki before any letter will be able to arrive, but we'll do our best in connection with it.

When I said that I could not see any immediate change in the situation at the Whitedog reserve, I can't, because of the time element involved and the training of suitable people. Money is a factor but I wouldn't want to leave it that it's the only factor. In other words, that community has its reasonable proportion—perhaps more than its reasonable proportion—of policing. That is not the fundamental question.

The fundamental question is finding either native constables or regular OPP constables who are prepared to go on the reserve and live there. That is really one of the main problems involved. Maybe Mr. MacGarva can bring us more up to date. Is there any reason, and contradict me if the facts say otherwise, this can't be done immediately? And don't take money into consideration.

**Mr. MacGarva:** One of the things is that these men volunteered to serve on the Islington reserve but on condition that they would be living in Minaki. That was the condition for them volunteering for this.

**Hon. Mr. MacBeth:** That is the people who are there at present.

**Mr. MacGarva:** That is the people who are there at present. Of course, the other thing was the schooling on the reserve. As you are probably aware, the Indians set their own curriculum in the schools and if the constable's children attend the school for two years that certainly puts them behind when they come out.

**Hon. Mr. MacBeth:** Do we have any volunteers from the Whitedog reserve or native people who could police it or could be trained soon to police it?

**Mr. MacGarva:** I have discussed this matter with the former chief, Roy McDonald and the present chief, Isaac Mandamin, and there just isn't anybody who would take the job.

**Mr. Breaugh:** Could I ask what the response time is from your detachment to that site?

**Mr. MacGarva:** About three-quarters of an hour to an hour from Minaki to the reserve.

**Mr. Breaugh:** Do you consider that to be an adequate response time?

**Mr. MacGarva:** At the present time, we have two shifts on the reserve. One starts at 9 but as far as the reserve is concerned, they are there at 10 o'clock in the morning. The second shift starts in the evening at 7 o'clock.

**Mr. Breaugh:** If you were anywhere else, would you be happy saying that your response time for a police call is three-quarters of an hour to an hour? Would you accept it, even?

**Mr. MacGarva:** Of course, there are many places in the province where it is just as great.

**Mr. Breaugh:** Where?

**Mr. MacGarva:** Say, to Redditt from Kenora; we're talking about the Kenora district. The town of Redditt is about 30 miles north of Kenora and the response time, because of the type of roads and so on, would be about the same.

**Mr. Breaugh:** Okay. Without talking to the disparities which might occur in northern policing, what would you do if, at a place like Sauble Beach or Downsview or anywhere else, you had to tell the people we might be able to respond in less than an hour or something like that? Would that be acceptable criteria for a community?

**Mr. MacGarva:** No, I don't suppose it would.

**Mr. Breaugh:** I don't think it is at all. Why, in this instance, are you prepared to accept it?

**Mr. MacGarva:** In northwestern Ontario—say, the Minaki detachment which, of course, looks after Islington. Their detachment area goes west to the Manitoba border and south

to Laclu and so on, and their response time to many parts of their detachment area is just as great.

**Mr. Breaugh:** Okay. Let's add another element to it. Knowing the situation in the area and that there certainly is potential for some difficulties, would you accept that anywhere else in Ontario where you knew you were liable to run into problems? Would you be satisfied with a response time of something in the order of an hour?

**Mr. MacGarva:** No, I don't think you would down here. It's a different—

**Mr. Breaugh:** Then why in the world are you prepared to let it happen in this instance?

**Mr. MacGarva:** Coming back to northwestern Ontario, we have 22 reserves and settlements in the northwest, covered by the northwest flying patrol. We have six covered by the northeast flying patrol and the response time could be much greater. It is a different situation from what it is down here.

**Mr. Breaugh:** All I am trying to do is add the extra element that there is very good potential—or very bad potential—there for some difficulties to arise. That is a known factor and I don't think anybody is denying that; at least, I don't hear anybody denying that. Given that, are you still prepared to accept that kind of response?

**Mr. MacGarva:** Oh, I must agree that down here it wouldn't be accepted. I must agree with you on that.

**Mr. Gartner:** Mr. Chairman, I might add that this is not the norm because the people are on the reserves. There could be times, and I think Mr. Lewis knows of one that took 1½ hours, but that is not the average if the men are on the reserve at the time, if we do have an office on the reserve and they are in that office; although the office has been badly damaged four times now, they have broken all the windows and the phones have been ripped out, and we have had to remove most of the furniture.

**Mr. Lewis:** I suppose that if there were, on the other hand, constables there regularly, the inclination to damage wouldn't be as great. Damage tends to occur in deserted buildings, in my experience.

**Mr. Gartner:** There are many problems there.

**Mr. Lewis:** I don't dispute that. I guess I just live in a different world on this whole



issue. I just don't understand how, given the special problems of these two reserves, we can't seem to make special adaptations. I just don't understand that. At the critical moment in the life of Whitedog, when for the first time they are trying to get people back to work, they are trying to get people off welfare, they are doing things which are counter to the trends of the last six years, the band council is in jeopardy.

They are forcing modes of behaviour on the reserve which many people on the reserve are not happy with and that is why you have the gun-brandishing incident. That is why you had the threat on people's lives. That's why you had the threat of resignation of the whole council. I just don't understand why we can't adapt to that. I don't know why our ingenuity stops dead there; we do it almost anywhere else in Ontario. Can you imagine anywhere else in Ontario where somebody walks in and brandishes a gun and threatens to take the life of the chief and 1½ hours elapses before the police appear on the spot? There would be a public inquiry.

**Mr. Gartner:** It could occur in north-western Ontario. I am well aware of the problem, Mr. Chairman. I was a superintendent there for four years and I suggest to you that the policing of the Indian reserves has improved 200 per cent and we are striving to make it better all the time, but there are many problems. I think we have made great headway in the Indian policing, but we need to go a lot further, I agree.

**Mr. Lewis:** I don't dispute what Staff Superintendent MacGarva is saying about all the outlying communities and the settlements and the fly-in policing and all of that, and how strongly he feels, as he expressed in a meeting that I attended in his offices, that he feels oppressed by the need to service those communities as much as the others. It seems to me that somewhere along the way all of us are going to have to make special provisions for the Whitedog situation or it is going to blow up. It nearly blew up last weekend when they walked out on the cabinet ministers, and if there is an incident on the reserve that takes a life—God forbid—or something goes wrong, then the whole policing issue is going to explode.

I think they have put very reasonable, thoughtful requests. I thought the brief they presented to Mr. MacGarva was an excellent brief, a very compelling brief, and I am surprised that we are still back at kind of a fill-in, interim point.

I make the same plea—for heaven's sakes, tell them. Tell them, get to them. Mandarin

is a very easy man to get to by phone. He is either in the band office or in his home most of the time. If you have decided this is the course you are taking, pick up the phone, give him a call and tell him what the intentions are. Let's not wait for all of these endless official channels, because then deadlines go and crises emerge.

**Mr. Breagh:** What would be the cost of putting policing in there immediately?

**Hon. Mr. MacBeth:** Well, I suppose you would need to move those six men up there. They are there presently with their families at Minaki. They are there, I have seen the accommodation there, they are in mobile homes, but they are no longer mobile, of course. I was up there in March to Minaki with the hope to get into Whitedog—I was going to fly in—but weather conditions were such that we didn't get in. I had also hoped to get to Grassy Narrows and those are the types of conditions.

To move them in there, if you had suitable police constables to move in—that is, regular constables other than native—can you give me an estimate of what it would cost?

**Mr. Gartner:** We estimate it in the neighbourhood of \$100,000 to prepare the site and move in.

**Mr. Breagh:** What did it cost us to chase Donald Kelly around North Bay for a couple of weeks?

**Mr. Gartner:** More than that.

[10:45]

**Mr. Breagh:** Wouldn't it be a sensible thing to do, in the given situation, knowing the difficulties there, as we would do with any other situation? I recall last weekend there was a police chase down the 401 and over to Pickering and I think there were about 25 officers involved in that from three different police departments. Nobody thought a thing about it. There was a chase involved and shots were fired. It was normal police procedure.

I am sure that cost us a bundle of money. Nobody even questioned whether we would do it. Nobody even questioned in the House what happened, in fact. That was just accepted procedure. Why can't we make that decision that, okay, there are extenuating circumstances that would cause us to maybe violate what we would normally do in planning the provision of police services to a community and get in there now before you do have something happen?



**Hon. Mr. MacBeth:** You are putting it straight on a cost factor, and I said that was a factor but not the only factor. The other is to find suitable constables to do the job. The best constables we have are native constables.

**Mr. Breaugh:** Yes, I agree.

**Hon. Mr. MacBeth:** And to find them is not all that easy. We are doing our best to do it. The other is to find regular OPP constables, and it is the kind of chore that the married constables are not anxious to take on, so it is a case of finding suitable unmarried constables who will go in there and do the job. They don't all have the right attitude for it.

**Mr. Breaugh:** I agree with you. You are right on about all of that, but all I am saying is that some Saturday afternoon if somebody gets out there with a shotgun, you are not going to be running around recruiting suitable people and worrying about costs. You are going to dump them all in there. After something happens we are quite prepared to send our police in and we don't do a screening process, we just pick them up and put them in there and we don't worry terribly about the costs at that particular time and we don't worry terribly at that particular point in time whether they are suitably trained officers or whether they are native officers or what.

When something happens, when an incident occurs we are prepared to dump the troops in. Now surely between those two positions, trying to plan a rational police service that is ideal and that doesn't cost us prohibitive amounts of money, and dealing with a crisis, there has got to be something in the middle that allows us to intervene before a crisis happens.

**Hon. Mr. MacBeth:** I agree that if something happened the people would be there, but the task is different under those circumstances. We have got to find somebody who will not just go in there and police but will make themselves part of the community. That is the kind of thing I think that is needed and thank goodness in many reserves it is working, but we have had difficulties in Whitedog. We are trying and certainly the door is still open. We are planning to do it this way eventually, but they are asking for this immediately and I just can't see that we have either the facilities or the staff to do it immediately. We will do it as soon as we can, sir.

**Mr. Lewis:** Did you raise policing with the band when you had your last meeting?

**Mr. MacGarva:** In Kenora, sir?

**Mr. Lewis:** Yes. The meeting in Kenora. Did you meet in Kenora or did you meet in Whitedog?

**Mr. MacGarva:** We met in Kenora.

**Mr. Lewis:** Did you raise the question of local constables taken from—

**Mr. MacGarva:** Oh yes. I have discussed this with Chief Mandamin I would say on about three different occasions. On the second last occasion I asked them to post a notice on the bulletin board in the band office. I also discussed it with the former chief, Roy McDonald, on certainly at least two occasions or more.

**Mr. Lewis:** What are their responses? How do they explain why people won't do it?

**Mr. MacGarva:** The two men that I was kind of interested in as being satisfactory, wouldn't take it for a reason that is often given, they would feel like turncoats; the other people on the reserve would turn against them and retaliate.

**Mr. Breaugh:** I just can't help saying it, though I realize what we are trying to do with providing native constables and all of that, but for our principles we are risking a good deal, aren't we?

**Hon. Mr. MacBeth:** I don't know what principles you refer to. It might be more harmful to turn certain OPP in there who have a different attitude. They might do more harm in the community than not having them there at all.

**Mr. Breaugh:** You have just shaken my faith in your excellent training of police officers, that they are professionals, not amateurs, and that they are skilled—

**Hon. Mr. MacBeth:** They are still human and they are there pretty well on a 24-hour basis.

**Mr. Breaugh:** I understand you don't want to send Bull Connors up there.

**Hon. Mr. MacBeth:** I don't know Bull Connors. He is the type I guess. I don't know that reference, but you are right, it has got to be people who are specially suitably trained and have the right psychological approach.

**Mr. Chairman:** I'm going to ask the indulgence of the committee to let the member for Mississauga East in; he has to leave.

**Mr. Gregory:** Thank you, Mr. Chairman. I would like to get into the subject with the minister in regard to the Mississauga judicial inquiry. It was called some time ago and it has had a rather long and sordid history. The present status, as I understand it, the inquiry was squashed by the courts as being illegally called.

**Mr. Chairman:** Quashed.

**Mr. Gregory:** Quashed?

**Mr. Breaugh:** Squash is a vegetable.

**Mr. Gregory:** Okay, quashed, then. As I understand it, the matter has been fully investigated by the Ontario Provincial Police and that they have found the charges were absolutely groundless in the first place.

My point is, what happens now in that the names of an awful lot of people have been blackened and they've been thrown under suspicion?

There was a very controversial affidavit submitted by the former executive assistant to the mayor, in which he made some rather serious allegations regarding the mayor's part in the calling of this inquiry.

I would like to hear from the Solicitor General as to what happens now. After someone has called an inquiry and casts suspicion all over the place, does the matter suddenly stop there? Are people not accountable for what they do?

Is a person not responsible when they put citizens in positions where they acquire large legal bills in defending themselves against unsubstantiated charges? Where do we go from here? Are we going to carry through to the end of this matter now?

**Hon. Mr. MacBeth:** I can't answer some of your questions. This is one of the problems, of course, with any kind of court action or judicial inquiry. Many people are put on the defensive and incur costs in defending themselves, whether on criminal charges or in some sort of inquiry, and for which the public makes no provision for repayment. That has been the traditional position down through the ages, and has certainly some dangers if we go to change it.

I do have in my notes here a report on Mississauga. It might be just as well to read what's here, and then you can carry on from there.

On April 28, 1975, as he tabled the resolution for a public inquiry under section 2401 of the Municipal Act before members of council, the city of Mississauga

mayor, M. L. Dobkin, MD, commented that over the past several months a number of persons had made serious and startling allegations of malfeasance in the conduct of city business, including allegations of bribery, influence peddling, obstruction of justice, assault and the unlawful acceptance of benefits. The allegations extended back several years.

After a meeting with Mayor Dobkin, the then region of Peel Crown attorney, F. J. Greenwood, QC, requested an investigation by a member of the criminal investigation branch.

Nine allegations were outlined by the mayor to the investigators and all were in reference to occurrences prior to January, 1974, when the present council took office.

A thorough investigation revealed the allegations to be without substance. Indeed, six of the allegations had been previously investigated by members of the Mississauga, now Peel region, police force, or city staff, and the result made known to Mayor Dobkin.

York County Court Judge R. Stortini was appointed commissioner for the inquiry, with R. Noel Bates commission counsel. The inquiry never did hear any witnesses. An action in division court by two of the parties named in one of the allegations resulted in the quashing of the resolution under which the inquiry had been formulated. There are now civil actions for damages pending before the courts.

I guess I'm not telling you anything that you didn't know before. Have you got anything to add? All right, here's an updating.

On May 17, 1976, Det. Insp. L. J. Pelissero of the criminal investigation branch was given five R-KIVE file boxes to peruse. These files apparently were sealed and addressed to Judge Stortini. They contained pertinent information to the now-defunct judicial inquiry. This portion of this investigation was to determine whether information contained therein supported any criminal offences. As of July, 1975, officers of the Peel regional police force were assigned to assist in the investigation of any allegations of a criminal nature.

Both phases of this investigation have now been completed without uncovering any breach of the Criminal Code nor to warrant any further police investigation. The status of the previously mentioned civil actions is unknown.

If you have any further questions, Mr. Gregory, maybe some of those here can give you further details.

**Mr. Gregory:** Well, that seems to me to be just the beginning rather than the end of the play. What I am getting at now, as I am sure you are aware, is that you have on file—the Attorney General's department does, at any rate—the affidavit which was sworn by Dr. Gordon Watt, who was the previous executive assistant of Mayor Dobkin. I think the reading of that affidavit is rather interesting in some of the suggestions that he makes, such as conversations between Mayor Dobkin and his legal adviser in which he suggests or advises, in fact, the mayor to call an inquiry because "whereas you don't have anything now, something is bound to turn up," and the suggestion that this would do the mayor of Mississauga untold good politically.

I guess what I am asking you is, are people in this province allowed to get away with this sort of mischief-making? And if there is mischief involved, if the affidavit is accurate, is there any action that the province should be taking to make sure that, if nothing else, this sort of thing, which results in the expenditure of something like \$250,000, on the part of the people in Mississauga, is not just to advance the political position of one man? I am not suggesting for one minute—I have to assume that an affidavit sworn properly by a professional man has to bear some substance. Are we going to be investigating this further in that particular direction?

**Hon. Mr. MacBeth:** Of course, that affidavit is only one piece of evidence, and you say it is with the Crown attorney—at least with the Attorney General or the Crown attorney—and he might be the correct one to ask where the action is going next or if there is a basis for an action in the evidence that he has. Our police evidently have investigated it, both the OPP and Mississauga, and they indicate that as far as they are concerned, there is no basis for a criminal charge to be laid.

I don't know whether they have looked into champerty and maintenance and that sort of thing, when you say he was stirring up some kind of an inquiry, and I don't even know whether champerty and maintenance is involved as far as an inquiry is concerned.

Civil action, it seems to me, is the proper way for anybody that has been harmed to

continue and see what damages they can recover, but evidently the report from our police is that they can see no cause for any criminal charges.

**Mr. Gregory:** With all respect, sir, I believe the opinion that there is no basis for any criminal charge was in regard to the allegations that were made by the mayor. Is that correct?

**Hon. Mr. MacBeth:** That's what I understand.

**Mr. Gregory:** All right. What I am getting at is not in that direction. What I am getting at is, who caused this whole thing, what was behind it, and are people in the future going to be allowed to start wielding the threat of inquiries regardless of who gets damaged by them or how much they cost?

What you say is quite correct: Civil action can be taken by individuals who were named or were damaged, but what happens to the taxpayers, who have to foot the bill?

**Hon. Mr. MacBeth:** Well, after all, this man was elected to that position by the taxpayers, and they have their recourse against him if they decide what he has done is unreasonable.

**Mr. Singer:** The inquiry was ordered by a vote of the council.

[11:00]

**Hon. Mr. MacBeth:** That's right. Similarly, any person in a position of authority, any one of us in the House, can ask for an inquiry at any time and may be successful in persuading people that it should be called; and if one is called and it is not substantiated or it appears, after the investigation has been fully aired, that there was really no great reason for it, I don't think that in itself is grounds for getting after the person. He's got to answer to the public and, I think, so has his council, as Mr. Singer is suggesting. I think they are the final tribunal on this sort of thing.

I don't know how, other than through civil action, we can make any provision for the out-of-pocket expenses and the time lost by those who have been inconvenienced by it.

**Mr. Gregory:** I happened to be a member of that council, as a matter of fact, when it was called and I would have to say that the facts were not presented very accurately. Immediately after that, at the next council meeting, there was a motion by me to reopen the matter which was defeated, unfortunately. I



guess there is no way, other than by election, for the public to get justice in regard to the cost.

**Hon. Mr. Welch:** The evidence that that inquiry might have been called improperly or the persuasion of council might have been done with improper information, surely is presently with the Crown attorney, as I understand it, or with the AG—I'm not sure which you mentioned.

I don't think that is a police matter. It is for the Attorney General to decide whether there is enough information there to lay some type of charge—and I'm not sure what it would be—against the mayor for falsely stirring up an inquiry.

**Mr. Gregory:** Have the provincial police completed their investigations fully and is that investigation in the hands of the Crown attorney and the Attorney General?

**Hon. Mr. MacBeth:** I am taking, from what you said, that it was with the Attorney General. I understand that is correct.

**Mr. Gregory:** Fine, thank you.

**Hon. Mr. MacBeth:** I am sorry I can't help you any more.

**Mr. Gregory:** That's all right.

**Mr. Kennedy:** I want to ask about home and cottage security. I presume it would be under this vote. I know the OPP is spread pretty thin through the cottage country and resort areas and from time to time we hear of what is almost an epidemic of cottage break-ins. They are most difficult cases to solve, I know.

I wanted to inquire in relation to the recovery of stolen goods and the identification of them. From time to time we read of recovered goods. There is a problem of identification and this type of thing and I was wondering if you could comment on that and how the force is organized to cope with these things.

**Hon. Mr. MacBeth:** We have an identification programme whereby—and other police forces apart from the OPP are involved—they will loan you a machine that puts your social insurance number or something of that nature on articles. On the broad picture of how you cope with them, I will have to turn that over to the police.

**Mr. Gartner:** As the minister mentioned, Mr. Chairman, we do have a programme under community services by which we pub-

licize the value of Operation Identification which usually puts your social security number on all articles. It has been successful in many areas. The cottage area is a most difficult area to police, although we did have considerable success with the break-ins in the Peterborough area. If you recall, there were something like 150 cottages broken into. They caught those people and they have been before the courts.

**Mr. Kennedy:** On this identification bit there would be millions and millions of articles. To what types of articles can you affix such identification?

**Mr. Gartner:** Almost any article. It is an electric pen type of thing supplied by insurance companies and made available to us. Many people have marked all their valuable goods with these identification marks.

**Mr. Kennedy:** Do you mean that everybody, anybody, who owns anything could call on the police and have this service provided them?

**Mr. Gartner:** That's right.

**Mr. Kennedy:** How many people work on this?

**Mr. Gartner:** The police work with the insurance companies and they provide the electric pen to the customer and he marks his own.

**Mr. Kennedy:** So if I wanted to mark everything in my home and in the cottage, I can phone or write somebody and ask if we could have this?

**Mr. Gartner:** Yes, you go to the nearest police station and they would have it provided to you.

**Mr. Kennedy:** Has this been tested in the courts as being admissible?

**Mr. Gartner:** Oh, we've had success in the courts with that.

**Mr. Kennedy:** What types of articles can it be applied to? For instance, woollens or clothing or just hardware?

**Mr. Gartner:** Metal mainly, and on wood, too.

**Mr. Kennedy:** In other words, many types of furniture and appliances?

**Mr. Gartner:** On clothing you use invisible ink.

**Mr. Kennedy:** Chain saws?

**Mr. Gartner:** Chain saws, yes. You could put them on guns, because many guns don't have serial numbers.

**Mr. Kennedy:** And they're quite visible? What do you use, a scanner?

**Mr. Gartner:** No, they're visible, except on clothing.

**Mr. Kennedy:** Maybe you can't do anything about this, but I know of one break-in where about \$8,000 worth of goods was stolen from an apartment here in Metro. The alleged culprit was caught through the identification of two of the numerous articles that were taken. He was lodged in jail and released on only \$500 bail and hasn't been seen since. I guess that's nothing to do with you. That's a court decision that was made, which was, of course, incredible and completely mystified the victims.

**Mr. Gartner:** I'm surprised he even got \$500 bail. They usually let them out on their own recognizance.

**Mr. Singer:** How do you mark bottles of liquor?

**Mr. Kennedy:** That's a good question. That's a very attractive item up in the cottage country. We were going to speak for a moment about the overall organization, and I don't know how much is confidential in this respect. But, as I say, it's pretty thin up in the cottage country, necessarily so, I guess, but any victims of a break-in, of course, want immediate service by the police; arrests and recovery and the whole bit.

**Mr. Gartner:** Our manpower is determined on peak load work periods. So that in the areas you suggest, so that we have equal service across the province, it's based on the workload at the time. They would have, during the summer months, more than would really justify them in the winter months.

**Mr. Kennedy:** Is it not policy to have vigilantes or auxiliary police or some such thing as that?

**Mr. Gartner:** No. Through our community service we suggest that cottagers hire persons to check their property during the off-periods.

**Mr. Kennedy:** I see. It's just not policy. Is it legal to organize a vigilante group? I guess you couldn't do anything about it?

**Mr. Gartner:** We don't suggest they do that at all.

**Mr. Singer:** Surely, you're not suggesting it would be a good thing?

**Mr. Kennedy:** I'd like to catch these crooks who break into cottages and have them put out of the way. I tell you, if I caught one of them—

**Hon. Mr. MacBeth:** You'd make a good vigilante.

**Mr. Kennedy:** —they'd be very grateful to have vigilantes. I wanted to ask about the police auxiliary, which is the last item I see here, Mr. Chairman. Are we taking them one at a time? I'll wait till that item, then.

**Mr. Breaugh:** One of the items under this vote is item 8, civilian law enforcement. Could you describe that classification for me a bit? Is that just backup services, secretaries?

**Hon. Mr. MacBeth:** Yes, anybody who works in the police office who is not in uniform. We have many of them down at the OPP headquarters on Front St.; they work communications equipment and so on.

**Mr. Breaugh:** But the distinction would be that they would not be police officers?

**Hon. Mr. MacBeth:** That is correct.

**Mr. Breaugh:** Okay. Item 9 covers the Ontario Government Protective Service. I'm kind of interested in this. Is this just police protection of this building or the related buildings? Would someone describe that for me?

**Mr. Gartner:** Yes, it's this building, the ministry buildings, Osgoode Hall.

**Mr. Breaugh:** What is entailed in this? Police officers, security guards, what?

**Mr. Gartner:** No, they're not police officers. They're civilian employees but they are in uniform. You have seen them around the buildings.

**Mr. Breaugh:** Yes. Does it also include those members of the OPP who are present, for example, in this building?

**Mr. Gartner:** No.

**Mr. Breaugh:** So that's an additional cost on top of that.

**Mr. Gartner:** When they're here.

**Mr. Breaugh:** There are always OPP officers around.

**Mr. Gartner:** No, I don't think that's correct. There is an Insp. Pierce who is in charge of this Ontario Government Protective Service. You'll see them here on the opening of Parliament or if there is some big demonstration, you'll see some of them around.

**Mr. Breagh:** There are always officers at the doors, aren't there?

**Mr. Gartner:** No, no, they're not police officers.

**Mr. Breagh:** No? I don't believe I've ever come in when one wasn't there.

**Hon. Mr. MacBeth:** They keep some special eye out for you, I think.

**Mr. Breagh:** You see that 007 going down the road.

**Hon. Mr. MacBeth:** As I understand it, the people in the blue uniforms are our protective service; the ones in the green uniforms are government services.

**Mr. Gartner:** These people were brought in to replace police officers. If you recall, there were police officers here before.

**Mr. Breagh:** What kind of security is provided, for example, to those most valuable people, the members of the cabinet and people like that? Do they have a protective service at all times?

**Mr. Gartner:** The Premier (Mr. Davis) has two policemen assigned to him.

**Mr. Breagh:** That's all?

**Mr. Gartner:** And the Lieutenant Governor has two people assigned to her.

**Mr. Breagh:** Yes, I just happen to have visited another province where I noticed that the security around their cabinet ministers is rather intense, particularly in Quebec where it seems that half the force is chasing boo boos around the province.

**Mr. Gartner:** We don't have any security on other cabinet members at this moment.

**Hon. Mr. MacBeth:** I'd say it was called for. I gather you had somebody keeping an eye on me one morning. I didn't know it until afterwards.

**Mr. Chairman:** My instructions, Mr. Minister, are to keep a very close eye on you indeed.

I have a number of questions on three matters I want to discuss. First of all, under law enforcement, the statistics and the way in

which statistics are arrived at. When I was a young lawyer practising in the criminal courts from time to time we used to go in and peruse the lists. It's an interesting thing to go along in the courtrooms in the old city hall and see the long lists. In those days, it was perhaps a remarkable phenomenon to see a name listed and then three, four or five charges against it.

If you look at those lists today you will see a name and you will see 10 charges. It's commonplace to see seven or more charges in each individual instance, time after time, with respect to a particular individual. That, I say, is a questionable practice. I wonder why it takes place. But before getting into that, let me take a thing from the Globe and Mail. It's back some years ago, 1972, where they're talking about statistics:

To show how completely misleading the statistics can be, it is only necessary to look at the figure of 430 murders for 1970. Included in that number were 40 people who died in a fire in an old people's home in Quebec. One man set the fire but the statistics indicated a completely unrelated rise in lawlessness. This gave a totally false picture.

I use that as a base upon which to go to the next proposition. Why this multiple laying of charges? Why the throwing of the book—that is, I think, the nomenclature used—in every individual instance rather than a selective, trying to pinpoint the charge? By throwing a net do you think it's going to catch an individual somewhere? Your statistics, presented through the Solicitor General, show enormous numbers of withdrawals and enormous numbers of acquittals with respect to charges.

[11:15]

We could document that, but I don't intend to do it at the moment. The reason for that partly has to do with plea bargaining, and I suspect that it is one of the negative sides of the plea bargaining phenomenon that has produced this particular thing. On their side, the police say, "If they're going bargain, we'll give them something to bargain about; we'll lay the charges." Somewhere in there the Crown attorneys can sort it all out; they come up with a plea of guilty, probably to a lesser charge, but there will be a charge sitting there to which to plead guilty. On that basis I find plea bargaining very questionable, if it has been a causal factor in bringing about this particular business of laying charges.

The second phenomenon with respect to it, and I'll put it to you bluntly, seems to me to



be that if the police can lay innumerable charges, then they show a radical efficiency and that the crime rates and the threat from out there is rising exponentially; therefore, we need not only increased salaries, but we need multiple police forces, increased numbers, etc., to guard us in our basic liberties, etc. All we have to do—and no one ever analyses the statistics; they just take them holus-bolus on their face value—is to use that particular device, etc., so that it is possible to extract a great deal more from politicians and governmental people in terms of equipment and every other thing than might otherwise be necessary.

All of us in this society are self-enclosed to an incredible extent, and every institution and every group in society all are tending increasingly, as our civilization disintegrates—it's a sign of the disintegration—to gather into ever more self-interested, vested, enclosed little groups. That can't happen to the police. That's the one group in society which must not allow a self-enclosing process, an encapsulating thing, to take place. These statistics, in the way they're rising and developing, are perhaps—and I trust not—an indicium that this kind of thing is happening. We have a responsibility as legislators to detect it and do the best we can—and that's not very well—to forfend against it. We have here an escalating picture in that respect, and the question then becomes, is it really necessary in all these instances?

There is just one other thing I want to mention. There has been fairly recent British law in the area of conspiracy to detract from public morals, an ancient criminal common law offence stemming from the 12th and 13th centuries and recently revived in Great Britain. The common law is still operative here too, and there are numerous clauses in the Criminal Code touching on conspiracy, which are so broadly drawn that practically any time you and I stop to talk together on the street corner we may be counselling subversion of one another or of the body politic as a whole. I don't know.

If you watch the lists as they're coming through—and I went to some trouble to look at this—the laying of conspiracy charges, or multiple offences against single individuals, is increasing. Of course, the conspiracy charge will fail if there are not sufficient grounds, but there's always this other charge to fall back on vis-à-vis this particular individual involved. However, the laying of conspiracy charges is becoming very commonplace and very questionable indeed.

The cost to the public realm is very great, because each one of these accused under a

conspiracy charge usually has legal aid counsel, and that's a multiplication of expense to the public purse in that particular area. As a matter of fact, right across the board, the laying of unnecessary charges or charges that won't stick, and are very well known in advance as not likely to stick but which are laid anyhow in the hope of catching the fly in the flypaper, is extremely costly to the whole of the judicial ramifications and the workings of our system at the present time.

Is it necessary therefore, in your opinion, to lay these multiple charges? Can't more discretion and a greater exactness with respect to charges against individuals be exercised by police officers? This is not just the Ontario Provincial Police; they are probably the least offenders. You have a responsibility for a far wider area and this is the kind of thing in which the Solicitor Generalship is important, in co-operation, admittedly, with the Attorney General's department.

In your overseership throughout the province of all police forces a practice like this, once started, can escalate, can become commonplace, can become habitual. As a matter of fact, a certain ingenuity then begins to be exercised as to, "I wonder if I can work in another charge here? Let's take another look at this." A certain pride in workmanship, so to speak, arises out of this particular mentality. Im sorry; I keep on talking—I want to ask—I think you know what it is. I don't.

**Mr. Singer:** That's quite an admission.

**Mr. Gartner:** In the first place—

**Mr. Chairman:** He'll answer it anyhow.

**Mr. Gartner:** —the charges are determined by the Crown attorney when the officer takes the evidence to the Crown attorney. He must sign the charge that he believes the charge is true. I suggest to you he wouldn't sign the charge if he didn't think he had enough evidence in any case.

The second part is you mentioned the fact—

**Mr. Singer:** Did you say the Crown attorney? You mean the justice division?

**Mr. Gartner:** No, as a rule in serious cases they are discussed with the Crown attorney before any charges are laid.

**Mr. Singer:** But the Crown attorney sure doesn't sign anything?

**Mr. Gartner:** No, the officer signs it.

**Mr. Singer:** He swears an information.

**Mr. Gartner:** He swears an information, yes.

You suggest that policing cost escalate through these statistics. In our case, we determine our needs by the number of occurrences, not by the number of charges. It's the number of occurrences which activate a policeman, which is a different thing. If we had a murder with two or three people in it, it would show as one occurrence. It might show three or four people killed but there would only be one occurrence reported to us to determine our manpower needs. We don't use the charges as such.

You are certainly right; there are a number of charges laid, especially in the impaired driving field and failing to blow. It's an offence to drive with more than 0.8 and they charge them with impaired driving at the same time. In some courts, the Crown attorney directs that there be no evidence offered and they are dismissed. In other courts, they are withdrawn. That's why we have large figures in that area. I think that's a big area.

On conspiracy, Deputy Commissioner Erskine can answer that part.

**Mr. Erskine:** You mentioned conspiracy, Mr. Chairman. I think and I believe we have shown in the past 10 years in this province that the charge of conspiracy is the most effective means of fighting an organized criminal group.

**Mr. Chairman:** True; an organized criminal group.

**Mr. Erskine:** Quite often when there are charges of conspiracy laid against a group of individuals there are substantive charges laid. Quite often they will plead guilty to the conspiracy charge and the substantive charges are not proceeded with. The evidence is given on the total conspiracy and the total number of offences this group has committed. This is particularly effective in the white collar type of crime.

**Mr. Chairman:** When you mention prosecutions in the Solicitor General's report, say, with respect to breaking and entering—it's 6,300 prosecutions—those are separate charges, not single incidents?

**Mr. Erskine:** Yes, that's correct.

**Mr. Chairman:** Perfectly right, so there could be any number. You notice that under withdrawals alone there are 865? The dismissals are far less than the withdrawals.

**Mr. Gartner:** I suggest in that case there could be a charge of possession laid as well.

**Mr. Erskine:** That's likely what it is.

**Mr. Gartner:** And they have proceeded on the charge of possession. What page are you at, Mr. Chairman?

**Mr. Chairman:** I am looking at page 31.

**Mr. Erskine:** You will notice on page 32, under possession, there's a number of dismissals and withdrawals, 517 withdrawals. In most cases where a person is arrested or caught with stolen property, and there is evidence of his involvement in a break-in, there are charges laid of breaking and entering and possession. Sometimes it is not easy to prove the breaking and entering as it is possession.

**Mr. Chairman:** But your contention this morning is that my contention is not accurate, namely, that charges are laid across the board in every conceivable way in the hopes of making something stick. Secondly, there is the concept of plea bargaining—which, within very much a restricted area, we have given basically our assent to on all sides of this House—and I think that there are benefits in that. But has it generated the laying of unnecessary charges?

**Mr. Gartner:** I would say it hasn't, but we don't believe in plea bargaining at all.

**Mr. Chairman:** You don't believe in it?

**Mr. Gartner:** No.

**Mr. Singer:** Now I want to state, we have had about 25 per cent of the charges withdrawn out of 22,000 charges. Surely the multiplicity of charges has to lead to plea bargaining. It's a nasty word—the editors of the Globe and Mail think it's a terrible word—but it's encouraged; it has to be encouraged by what Mr. Lawlor thinks on these problems. It gets back to what kind of courses do you teach in your police colleges? What do you tell them about the Criminal Code? Do you tell them that where there is some doubt, lay three charges where one might do?

**Mr. Erskine:** No, sir, we do not.

**Mr. Singer:** I have ranted and raged in the House on many occasions about laying charges. For instance, in laying charges involving driving incidents and where ability may be impaired. Depending on the mood of a particular officer at the time, he may have four charges arising out of the one incident. I think it's foolish police work. I would think you could begin to get this in your college when you teach them about the Criminal Code.

**Mr. Erskine:** This is a very difficult area. You are going to find that there are other people who would argue that if you don't lay the charges—I am not talking about impaired driving now, but other offences—that for some reason or other you were holding back in not charging them with the criminal offences they appear to have committed.

**Mr. Chairman:** It is a very difficult area. My feeling is that lawyers believe the police do lay multiple charges because of the plea bargaining. And lawyers plea bargain because the police lay multiple charges. And if you want to call it a vicious circle, fine, but it works both ways.

Lawyers looking at a charge sheet in a single incident, with five or six, seven, even more charges against their client, say: "Well, which ones? Maybe this one and this one are important. The rest are not going to stay; I know I can get them knocked out. I have to concentrate my attention on these two."

It has always struck me as very strange that those two or maybe three were the ones that were the focal point of the matter and were charges that were likely to be pressed. So, it's really a game going on—the games people play—and where is it going to stop? It has to stop at one end. It can stop at plea bargaining, which the Globe and Mail wants, and then perhaps the number of charges would tend to be reduced.

On the other hand, the police themselves can render plea bargaining relatively ineffective by concentrating on the areas where the strong evidence is. I wouldn't say that they would attempt to lay charges in the air; nobody would. There has to be a simulacrum of evidence around, enough to ostensibly justify the charge without any great hope that it will really stick.

But it's an area in which I would ask you in the next little while to give some thought to. I know you have given a good deal of thought to it. I don't know if it has been raised in this particular form previously. Give it some thought, if you will, in the next year. It may be very helpful to the whole society and to your own operations, too, for that matter. I am convinced that it will save money all around. If I can bring the point up once a year and we might save money sufficient to pay my salary, I have justified my existence.

[11:30]

**Mr. Erskine:** Many police officers, Mr. Chairman, share the same concerns. They work very hard on an investigation and they

gather all the evidence to support the various elements of the charge or probably several charges. A lot of young people in our society today are not involved in one offence; they might be involved in 40 or 50 offences before they are finally arrested. The officers put together a good solid case on the evidence and I am sure they share the same concerns as you do on any type of plea bargaining.

**Mr. Chairman:** All right, that's fine. Have you any more on that?

**Mr. Singer:** Would you have available such a thing as a sample lesson or a summary of the lectures you give about the Criminal Code and how to lay charges? I would like to read that some time or hear about it from the lecturer who gives that course.

**Mr. Erskine:** We have several hundred in every area on the Criminal Code, laws of evidence—

**Mr. Singer:** Do you have sample lessons or a textbook you give them?

**Mr. Erskine:** We have in-service training lecture books which are about the size of the report.

**Mr. Singer:** Can I get to see one of those?

**Hon. Mr. MacBeth:** I haven't seen them and I don't know whether they are available. We can certainly make some inquiries and see whether there is any printed lecture on these things.

**Mr. Singer:** It's a matter of an in-service training book.

**Hon. Mr. MacBeth:** Yes, in-service training.

**Mr. Singer:** Is there any reason I shouldn't see it?

**Hon. Mr. MacBeth:** No, I don't know of any reason you shouldn't see it, but I don't know whether it is a printed lecture or not.

**Mr. Erskine:** I can assure you there is nothing in any of those books which talks about plea bargaining or laying multiple charges.

**Hon. Mr. MacBeth:** If anything is said about it, it is off the top of the head of the instructor at the time, I suppose.

**Mr. Erskine:** They learn about that out in field fast enough.

**Hon. Mr. MacBeth:** I might make two comments, Mr. Chairman. First of all, it is a good discussion and, I think, worthwhile but



I am wondering if it doesn't more properly belong with the Attorney General in that the—

**Mr. Chairman:** It will be raised again.

**Hon. Mr. MacBeth:** Yes. If it is done with the Crown's encouragement or knowledge it does belong to the Attorney General. If the charges are laid without advice from the Crown attorney I would think it is because of a degree of caution which the police want to exercise. They have laid all the possible charges, leaving it up to the Crown to make the decision on which ones they have the evidence to support.

I think that if the police do it on their own without the AG's advice it is because of caution. If it is with the AG's advice it is up to him to answer for it.

**Mr. Chairman:** I don't know the internal workings. My feeling, from my relations with Crown attorneys, is that they are overwhelmed, by and large, in most areas, particularly the Metropolitan Toronto. They rely upon the police to a substantial measure to bring what they consider the basic charges before them. They peruse the matter. I think that in a moot case they will say "All right, we will let the judge decide. We will send the matter into court." They also are cognizant of plea bargaining and its possibilities. I think the police have the initiative in the matter, the basic initiative, and not the final decision as to what the range of charges is likely to be. Depending upon their training and their outlook in this particular regard and the instructions they receive through you and through their superiors they have a certain orientation in this whole problem which, over the years, I think, is developing in a bad direction. That is the only point I wish to make.

Any further discussion on this?

**Mr. Singer:** No.

**Mr. Chairman:** The other area, just very briefly, is that I have before me a letter from a former policeman. I don't think his name matters; he has sent numerous letters to everybody but you. He sent one to Stephen Lewis having to do with records of police officers.

He recites in the second paragraph that there is an expunging of criminal records after five years and certainly two years with respect to drivers' licences. If I may read the paragraph:

The policeman has been discriminated against. These great defenders of our liberty and safety have been unfairly deprived of the means of clearing their

names. If they are charged under the Ontario Police Act that proceeding is recorded with the Ontario Police Commission. According to our experience, that information is available to the public upon request. Mr. Elmer Bell of the OPC [I wish I had had this when Elmer was here] read excerpts from the hearing of Const. Thomas Fortner over the telephone to a man who identified himself to Mr. Bell as Mr. Gordon Mitchell, personnel manager of the Chrysler Canada Ltd national parts depot in Mississauga. There is no procedure laid down in law by Mr. Fortner. They've removed this proceeding from the perusal of any curious person who claims to be a personnel manager [or anybody else, I guess, for that matter].

What about that? Couldn't we do something?

**Mr. Erskine:** The Police Act requires that where a man has been charged with an offence under the Police Act and acquitted, or the charge has been withdrawn, all record of that incident be expunged or removed from his personal file, and we do that religiously.

**Mr. Chairman:** In those two instances, yes. How about where he is convicted?

**Mr. Erskine:** That remains on his record, but if he doesn't get any problems again, regarding the same type of conduct, it isn't going to hurt him any or hold him back from promotion.

**Mr. Chairman:** Or in subsequent employment, should he cease to be a member of the police force.

**Mr. Erskine:** We wouldn't report this to a subsequent employer.

**Mr. Chairman:** This man claims that.

**Mr. Erskine:** What department was he with, sir?

**Mr. Chairman:** I'll give you his letter after we rise here so that you can take a look at it. I don't know specifically where; he describes himself as a former policeman. The letter is dated May 10, 1976. You don't think that can happen?

**Mr. Erskine:** I've never heard of any report to any prospective employer on a man who has been in the police force, with respect to an offence under the Police Act.

**Mr. Gartner:** Our reply is that this man has worked for us, but we don't say he's been charged under the Police Act or anything like this.

**Mr. Chairman:** It very easily could be that he was not an OPP constable.

**Mr. Gartner:** I knew a Tom Fortner who came on the force with me in 1945. I don't know if it is the same man or not. He was fired a long time ago.

**Mr. Chairman:** I see. I put it to you that, after a period of time, some consideration should be given under the Police Act or elsewhere, just as we do in the case of other citizens, that that should not hang its cloud over his head indefinitely, even within the police community, much less should it be available to his job potential elsewhere.

**Mr. Gartner:** I agree.

**Mr. Chairman:** At least after a period of time. I just think it is an oversight and something that hasn't arisen before and it can be easily rectified by an amendment perhaps to the legislation or something like that.

My last point has to do with Sauble Beach. I know it has been discussed at an earlier time but one of the members of our caucus, Marion Bryden, has asked me to raise it again. Just briefly, if I may, this is a letter from a person by the name of D. J. Conner on May 27 of this year:

On the night of May 23, myself and approximately 200 other campers were forcefully thrown out of Big Tree campgrounds north of Sauble Beach

**Mr. Gartner:** Big Tree.

**Mr. Chairman:** Big Tree? They say "Free" here.

During the action, I felt that we were treated with prejudice and a great amount of unnecessary force. In the Toronto Star on June 24, Sgt. Glen Wilson was quoted as saying: "If we leave it, it's not going to get any better, it builds up." This is proof that we were treated [badly].

As to the reasons given for the raid, (a) fireworks going into the woods are untrue. (b) The so-called threat to the owner and his office was [no threat]. Two police cars were outside his office from about 12 noon to the raid and I feel they should have been able to handle anything like that. (c) The fact that only 35 out of a possible 60 permits were taken out; no one asked if they paid or not and no one would chance talking to the egotistical riot police.

Also, I noticed at least three auxiliary officers were in the riot squad. These officers were not emotionally stable enough for such an action. There was also a great lack

of control over the officers, which compounded the fact.

I hope you will take all necessary actions with respect to the OPP and . . . to paying campers by the owner. A list of events on the night is included.

He set forth an itinerary of the events of that particular evening and what he did.

I'm not clear what was said at an earlier time in the estimates about it. I don't know how deeply we went but I would like a word or two now.

**Hon. Mr. MacBeth:** I made some remarks earlier in connection with it. I am still awaiting a complete report after my remarks to this committee. One of the commissioners—I have forgotten which one—said they were not satisfied themselves and were having an ongoing investigation in more detail. They can enlarge upon it.

**Mr. Gartner:** We have three staff superintendents investigating the matter right now. They are interviewing every one of the persons who were in camp. The strange thing is that we are getting kudos from everyone but the people in the camp. The surrounding area is quite happy with what we did but we are still looking into it. We have three people on it and the report should be ready for the minister this week.

**Mr. Chairman:** Would it be possible, when you peruse that report, to let us have a copy? If you would let me have a copy, I would be very pleased; other members of the committee would possibly like to have a copy, too. You don't always release them. The ingrained secrecy that operates is very great indeed, isn't it?

**Hon. Mr. MacBeth:** There is a fair amount of secrecy, I will admit. I try to determine if there is a good reason for the secrecy, if there is, to comply with it. If there isn't, I see no reason they shouldn't be released.

**Mr. Singer:** Just a postscript on Sauble Beach. Mr. Minister. You will recall I mentioned that at the beginning I am very interested in seeing that report.

**Hon. Mr. MacBeth:** When I spoke the other day, I was saying that the circumstances were building up and it was wise preventive action. The commissioner spoke to me subsequently and suggested there was a little more to it than that and for that reason they were following up the investigation. They weren't entirely satisfied.

**Mr. Chairman:** Anything further on vote 1505?

**Mr. Kennedy:** I wanted to ask about the police auxiliary, if I could, briefly. I was wondering if you could comment generally on the number of police auxiliaries?

I know we have one in Mississauga. I attended their annual inspection and it was most impressive. They were extremely well turned out and one couldn't help being enthusiastic about their interest in fulfilling their role as auxiliary police.

There's a budgetary item here for them. As I understand it, they are strictly volunteers. I was wondering if you could comment generally on how they are set up and how they function in relation to the regular force?

**Hon. Mr. MacBeth:** Mr. Kennedy is looking at Mr. Erskine and I think he is prepared to speak on it. Let me say that they are volunteers. They serve without remuneration. I thought at one time they were like the army—that is, the old militia—and if they served a day, they got paid a day but I understand they receive nothing at all other than their uniforms.

They are of great service to the force when special events are being held. I assume they will be used during the Olympic games. Certainly for royal visits or July 1 celebrations they are there in person and do an excellent job and the morale is very good. I can't tell you the exact numbers—how many detachments there are across the province—but I am sure Mr. Gartner can.

**Mr. Gartner:** We have 544 auxiliaries. There are 17 units and they stretch from Windsor to North Bay. They are unpaid. They are supplied their uniforms and they get a car allowance to come to the training grounds. They are well trained. They receive our in-service training lectures and they meet at least once a month.

We are not using them in the Olympics but we are using them for the Queen's visit. I think 40 of them from the Cornwall area are working during the Queen's visit.

They do relieve us in many areas, for example, at Bala. Five or six of them go up from Barrie every weekend and this is of great assistance to us in that area. We are very proud of them. They do a good job for us.

**Mr. Kennedy:** I certainly endorse that; you can have justifiable pride in them. Are you encouraging the expansion of them or is it

within their own purview to encourage others to join?

[11:45]

**Mr. Gartner:** This is the number we set. The one thing about them is although they volunteer for certain things, in the event that we had something we needed, there is no way we can force them to attend. It must be on a voluntary basis. As you know, they all have jobs of their own, and it is most difficult to really depend on them in some big event.

**Mr. Kennedy:** Do any of them seek to be taken on as regular police and do you engage any of them?

**Mr. Gartner:** Yes, many of them.

**Mr. Kennedy:** They would be well qualified; they would be well trained, to start with.

**Mr. Gartner:** That's right.

**Mr. Kennedy:** What authority do they have? What power is vested in them?

**Mr. Gartner:** They are just to assist the provincial policemen. They are not our—

**Mr. Kennedy:** Do they have powers of arrest and this type of thing?

**Mr. Gartner:** When they are ordered on duty, yes.

**Mr. Kennedy:** When they are on duty? I saw in a news report the other day that one was either seriously hurt or killed while he was on patrol with a regular officer, I believe.

**Mr. Gartner:** Yes, he was on patrol with a regular officer on Highway 401.

**Mr. Kennedy:** I see. In Mississauga, we have another organization under the local police youth bureau; it's called the Cadet Organization of Police Schools. I don't know whether you have heard of that, Mr. Minister, but they are some 500 strong; they take foot drill and certain other training, and I believe some of them have qualifications which in later life—they are aged from 13 to 17, I believe. Are you aware of them, Mr. Minister?

**Hon. Mr. MacBeth:** I am not aware of them, Mr. Kennedy.

**Mr. Kennedy:** I will see that the report goes to you, because I know that your ministry would be interested in them and would encourage them in what they do. The officer who is in charge of it overall has done an excellent job with the cadets. Again, I went to their inspection, and one can't help but be



impressed with the enthusiasm that comes with volunteering. We need more volunteering. That's all I have to say on that subject.

**Mr. Singer:** What's this item 10, registration?

**Hon. Mr. MacBeth:** Gun registration, I understand.

**Mr. Erskine:** Private investigators' and security guards' registration also.

**Mr. Singer:** Who does that? Police employees?

**Mr. Erskine:** A mixture of uniformed and civilian employees.

**Mr. Singer:** Are records kept centrally?

**Mr. Erskine:** Yes, the records are kept at 125 Lakeshore Blvd. in the registration section of that building.

**Mr. Singer:** Isn't there a registrar of firearms?

**Mr. Erskine:** Yes. He is in the same section.

**Mr. Singer:** Are there any justices of the peace in that section?

**Mr. Erskine:** Not for about eight or nine years. There hasn't been one since then.

**Mr. Singer:** There hasn't been one since? What about that fellow in St. Catharines, the retired policeman who had great trouble getting a filing cabinet for his records? Has he got one yet?

**Hon. Mr. MacBeth:** Not with the constraints!

**Mr. Erskine:** I haven't heard from him for a long time.

**Mr. Gartner:** Niagara region doesn't have the registrar; we do the registration for the regions.

Vote 1505 agreed to.

On vote 1506:

**Mr. Chairman:** Vote 1506 has to do with traffic law enforcement.

**Mr. Breaugh:** I have some general beefs, I guess. As a motorist, I was interested to see that there was some indication that we were attempting to cut back on the patrol times in an attempt to save energy, I guess; we were putting restrictions on officers on patrolling or making some recommendations that they only drive so many miles per patrol. I wonder if anybody has taken the time to recommend to

officers on patrol that they drive within the speed limit. One thing that does annoy me, when I am doing 50 m.p.h. going up the Parkway, is to see an OPP cruiser go by at 60; I don't see any lights flashing, so I assume it's not an emergency. I really think that's an atrocious example for an officer on patrol in particular. I can understand when they've got the lights going and there's some kind of a chase or an emergency. But I find it a common occurrence on Highway 401 and on the parkway.

**Mr. Singer:** The parkway speed limit is 55.

**Mr. Breaugh:** I only do 50, energy-conscious as I am.

**Mr. Kennedy:** You're impeding traffic.

**Hon. Mr. MacBeth:** Mr. Chairman, is there anything worse than a policeman driving about two miles over the speed limit and you want to go five or six miles over the speed limit? He's a real traffic bottleneck. I'd better let the police speak. I'll be getting in trouble.

**Mr. Erskine:** He could be going on a call, though, without having his flashing lights on. Most calls are answered without flashing lights.

**Mr. Breaugh:** It's rather obnoxious for the ordinary motorist to see the officer going by, and at least you are assuming that he is on patrol, somewhat in excess of the speed limit; and you're being very conscientious and saving fuel and all that.

The other thing that bothers me a bit is I notice the OPP do the same thing as most municipal police forces do. That is, when they set up radar traps, although I'm told that some direction is given to them not to hide the thing, they do tend to do that. I noticed after the directive went out about parking in a conspicuous place as opposed to patrolling, they seem to find that hiding behind a bridge is a conspicuous place. Do you offer directions to officers in that regard? These are all small things that bother most people who drive automobiles.

**Mr. Erskine:** I think a lot of those places they park are chosen because it is shady there.

**Mr. Breaugh:** That's right, yes. I won't be hard on them.

**Mr. Singer:** That's the best answer I've heard in a long time.

**Hon. Mr. MacBeth:** It gets pretty hot sitting there.

**Mr. Singer:** He said it almost with a straight face.

**Mr. Breagh:** Well, it's quite true. I think we all know of places where police officers go to have a little rest. I suppose that's only fair, but I do think for most people in the public, when they are motoring, small things like that are really the frustration points that hit them—when they see a speed trap that's hidden, especially when there are things like the press report that said "instead of patrolling all the time you should park in a conspicuous place," and in the sense of preventing people from speeding it would accomplish the same goal. In the next few days everybody watches to see where the police officers are parked and find them hidden behind the bridges and things like that. They are small, picayune things, I know, but they are irritating things, I think, to the public at large.

**Mr. Gartner:** We don't condone it, but I'm sure it happens.

**Mr. Breagh:** What about the unofficial quota system? I am told by police officers I know that I should not drive on the last three days of the month on Highway 401.

**Mr. Gartner:** That is absolutely untrue.

**Mr. Breagh:** Absolutely untrue?

**Mr. Gartner:** There is no quota whatsoever.

**Mr. Breagh:** There is absolutely no quota at all? Good. Well, I will go back and tell him that he doesn't have to worry about his promotion; if he doesn't nail me on the 28th, 29th or the 30th of the month, he'll be okay.

**Mr. Erskine:** Of course, on the other hand, if he drives up and down that road for 30 days and doesn't see a single infraction then maybe he's not enforcing the law.

**Mr. Breagh:** Yes, that's a good definition of the OPP quota system, I guess, okay.

**Mr. Kennedy:** I have a question, Mr. Chairman, on surveillance which is being carried out now by TV at the detachment office in Port Credit. First, I wonder at the relationship between MTC and the police on this exercise.

**Mr. Gartner:** That's not a law enforcement item. It's a traffic control item, as put in by MTC, but the monitors are in our office and they do assist us in spotting accidents and getting to them a little quicker.

**Mr. Kennedy:** Do they relay it over to you?

**Mr. Gartner:** No, it's in our office.

**Mr. Kennedy:** No, but if they see a slowdown or an accident or a flat tire or something like this, does MTC relay it to the cruiser?

**Mr. Gartner:** No, we relay it.

**Mr. Kennedy:** Oh, the OPP are also observing the TV monitors?

**Mr. Gartner:** I'm sorry, I missed that question.

**Mr. Kennedy:** Do the OPP as well as MTC view the TV monitors?

**Mr. Gartner:** It's in the OPP communications centre at Port Credit, so if the operator sees a slowdown he can direct cars there, or if he sees a broken-down car he can direct a tow truck to it.

**Mr. Kennedy:** What I'm asking is, is he an MTC employee or a police employee?

**Mr. Gartner:** He's a civilian radio operator as a rule.

**Mr. Kennedy:** But in any event it's through him it gets to the cruiser.

**Mr. Gartner:** MTC also has a man stationed there for the ministry's own purposes.

**Mr. Kennedy:** What are your observations on it, generally, as to its benefits?

**Mr. Gartner:** It's been a great benefit to us.

**Mr. Kennedy:** Of course, in the clearing of traffic, I expect. Do you have any statistics on this, in combination with the metering of traffic onto the QEW? Again, I'm not sure if we should have been talking in MTC estimates or if it's appropriate under this vote.

**Mr. Gartner:** We don't have those figures. MTC would have them. It's a facility they have that we make use of.

**Mr. Kennedy:** I've had both criticism and commendation of the metering of lights, which delay traffic entering the QEW, but once they have entered they claim the traffic movement is more rapid, on average, than the bumper-to-bumper situations that existed prior to that.

**Mr. Gartner:** I'm sure MTC would have some figures to justify their existence.

**Mr. Kennedy:** But the OPP are happy to co-operate and see that it's in place?

Vote 1506 agreed to.

**Mr. Gartner:** To have that facility there, yes.

**Hon. Mr. MacBeth:** Mr. Chairman, members of the committee, thank you very much for your help and assistance. I'll try to clear up those little items you've left with us.

**Mr. Chairman:** Any questions? carried.

The committee adjourned at 11:58 a.m.

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Breaugh, M.; Deputy Chairman (Oshawa NDP)

Gregory, M. E. C. (Mississauga East PC)

Kennedy, R. D. (Mississauga South PC)

Lawlor, P. D.; Chairman (Lakeshore NDP)

Lewis, S.; Leader of the Opposition (Scarborough West NDP)

MacBeth, Hon. J. P.; Provincial Secretary for Justice and Solicitor General (Humber PC)

Sandeman, G. (Peterborough NDP)

Singer, V. M. (Wilson Heights L)

**Ministry of the Solicitor General officials taking part:**

Erskine, J. L., Deputy Commissioner, Services, Ontario Provincial Police

Gartner, L. R., Deputy Commissioner, Operations, Ontario Provincial Police

MacGarva, R. J., Staff Superintendent, Indian Policing Services, Ontario Provincial Police



Government  
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Ontario

# Legislature of Ontario Debates

SUPPLY COMMITTEE—1

ESTIMATES, MINISTRY OF  
NATURAL RESOURCES

OFFICIAL REPORT — DAILY EDITION  
Third Session of the 30th Parliament

Tuesday, October 26, 1976

Speaker: Honourable Russell Daniel Rowe  
Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

## SUPPLY COMMITTEE

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TUESDAY, OCTOBER 26, 1976

The committee met at 8:04 p.m. in committee room No. 1.

### ESTIMATES, MINISTRY OF NATURAL RESOURCES

**Mr. Chairman:** Ladies and gentlemen, if you'll come to order, we shall begin the estimates of the Ministry of Natural Resources.

Before we call on vote 2301, I'd like some direction from the committee as to future meetings. Are you prepared to meet tomorrow? Ten o'clock? Is 10 o'clock tomorrow satisfactory to the committee?

**Mr. Haggerty:** Mr. Chairman, perhaps there is one other point I could raise at this time. Maybe we shouldn't allow any smoking in here. It is close quarters and half the time in this room the air conditioning isn't working that good, and I thought I would make the minister happy by—

**Hon. Mr. Bernier:** No, it will not make the minister happy. Nor the critic for the NDP either.

Interjections.

**Mr. Chairman:** Coming from a large tobacco growing riding, I will not put the question but I say it is entirely up to the committee.

**Mr. Minister,** do you have an opening statement?

**Hon. Mr. Bernier:** Yes, Mr. Chairman, I do have an opening statement and before I begin I just want to say to the members of the committee that sitting on my left is my deputy minister, Dr. Reynolds who, along with our staff sitting at the back of the room, will be assisting me in answering some of your questions and outlining to you some of our programmes and our policies.

I just want to make the point that this is the first time in the 30th Parliament that the Ministry of Natural Resources is appearing before the estimates committee in committee. Last year, you will recall, after the election we appeared in the Legislature. I had a very lengthy statement in which I outlined to the

members of the committee the various policies and the numerous programmes that the Ministry of Natural Resources applies throughout the province with a great deal of enthusiasm and acceptance by the general public. We have, of course, endeavoured to administer those programmes and policies in the best way we know how and I want to make the point that I think we have one of the strongest and some of the finest civil servants in the Ontario government working for the Ministry of Natural Resources. I am sure, as the days go on and the discussion proceeds, this will be verified.

**Mr. Chairman,** if I may begin my remarks—I have distributed copies of my statement to the members of the committee, I believe, so they can follow me if they wish but just for the record we will begin. Is that correct?

**Mr. Chairman:** That is exactly what I expected you to do, five minutes ago.

**Hon. Mr. Bernier:** Thank you, Mr. Chairman.

This year, Mr. Chairman and members of the committee, my ministry is asking for a total budget of \$212,007,000. This amount has been changed since the estimates book was printed in the spring. The sum of \$509,000 for the Experience '76 programme has been added to the ministry total.

As is the custom, my opening statement will offer several highlights of the ministry's activities. First, I would like to deal with forest management because I know there is a lot of interest and I expect a lot of discussion in this particular field.

First, I would like to bring you up to date on the latest progress in the field of forest management. As some of you will recall, I devoted considerable attention in last year's estimates statement to a description of our forest regeneration programme. Since then, we have received an extremely useful report from Professor K. A. Armson of the faculty of forestry and landscape architecture at the University of Toronto.

Because of my concern with the importance of forest management in terms of its



role in our economy and in the natural environment of this province, my ministry employed Professor Armson from July 1, 1975, to June 30, 1976, to make an in-depth evaluation of the forest management activities.

I say to members of the committee I believe this is prior to many of the interests shown by members of this committee. In his 166-page report, he has evaluated: 1. The inter-relationship between these activities and their effectiveness; 2. Whether or not the resources are adequate to achieve the stated objectives; 3. Whether these resources are, in fact, being used to achieve their objectives.

The primary objective of the study was to evaluate the effectiveness of forest land management programmes in Ontario. Particular attention was paid to those sub-activities related to silviculture, that is to say, the growing of trees.

These are the programmes on which the bulk of the funds are expended and which are of critical importance to the future supply of trees to the forest industry of Ontario.

In addition, Professor Armson reviewed the present methods of timber allocation to industry, the practice of directing certain products and residues to specific industries, procedures used in preparing plans, and the content of those plans.

Having evaluated the efficiency and effectiveness of staff and programmes in meeting stated objectives, and having identified weaknesses, Professor Armson then recommended corrective action where it was called for.

The report, released in August of this year, has provided me with an objective appraisal, by an experienced professional forester, of forest management in Ontario. He has made many suggestions for improving our effectiveness—60 recommendations in all.

I have had the Armson report distributed to the various interested publics and have invited their comments. In the meantime, the recommendations are also being carefully evaluated by my staff.

When we have gathered all the comments—from outside and from within—it will be possible to decide on the steps to take. It is my hope that by spring I will be in the position to announce our positive reaction to the many recommendations presented by Professor Armson.

Since our last estimates debate there have been two other studies in the forestry field which are parts of our continuing review of the forest management system and practices.

One is the timber revenue task force report. When the doubling of Crown dues was announced in the 1974 budget, this govern-

ment stated that this action was an interim measure, pending a complete review of this revenue field.

This study was conducted by an inter-ministry task force chaired by a member of the staff of the Ministry of Treasury, Economics and Intergovernmental Affairs. The report of the timber revenue task force was made public in December, 1975, for comment by interested parties.

The recommendations of that report and the comments received from the industry and other interested parties have been taken into consideration. In the House I will be shortly introducing the enabling amendments to The Crown Timber Act for first reading. If the Legislature accepts them it is our hope to make the changes effective on January 1, 1977.

The second report is entitled Proposed Clear-Cut Policy for Ontario. It was provided to the forest industry in July and concurrently made available for public reaction. This report outlines the guidelines for limiting the size and patterns of clear-cut in the boreal forests of Ontario, to enhance natural regeneration, to protect wildlife habitats, and to prevent unacceptable levels of forest-site erosion and deterioration wherever these might occur because of shallow soil depths or other factors.

In their final form these guidelines will further emphasize this ministry's concern with effective management of the forest environment, and will become the operating standards for licences on Crown land. The results of research by others, as well as by my staff, make it clear that, in some areas at least, more regeneration work needs to be done.

In the wood-using industries of Ontario, there has been a serious downturn with a recent suggestion of improvement. The major factors for the downturn have been the general decline of the national and international economies, coupled with a prolonged series of strikes in the pulp and paper industry.

During the 1976-1977 fiscal year, the industrial harvest of Crown roundwood is expected to recover—from the miserably low level of 3.2 million cunits experienced last year to the more normal level of five million cunits. Our forest industry is striving to get back to normal, but it has suffered from lost markets, supply-demand imbalances, unfulfilled contracts and labour-management controversies. Added to these have been the weak rate of recovery in economic health, particularly in housing starts in the United States and the uncertain impacts of the anti-inflation programme at home.

So it looks as if the current fiscal year will be somewhat less than a banner year for the industry as a whole. However, just last week one major Ontario company was reported in the press to have picked up in the third quarter of this year. Most encouraging. We shall watch and see and provide whatever assistance and encouragement we can.

[8:15]

On another front, our activities within the private land forest programme should interest members of the committee: 1. We plan to mark 2,500,000 cubic feet of saw timber on private forests, to help small woodlot owners; 2. We expect to add 2,000 acres to the agreement forests.

I am happy to report that the managed forest tax reduction programme has been very successful. For the two tax years 1973 and 1974, 4,650 applications for rebate have been approved. For the 1975 tax year, 3,000 applications have been approved to date.

This programme is providing a management incentive to the owners of more than 50,000 acres of forest lands. The importance of the timber production from these sources to the mills of this province is immense.

Forest fire control: Last year, I reported that 1974 had been the most severe forest fire season in 50 years. Since then, in 1975 and 1976, we have experienced two fire seasons that were even more severe.

Although in 1975, we had a record number of fires—3,146—the acreage burned was drastically reduced. It was held down to 42,000 acres compared to the 1.2 million acres of the previous season. This past season, however, we were less fortunate. Not only did we face the worst-ever total number of forest fires—3,946—but we also had a modern high in acreage burned—more than 1.3 million acres. The 1976 season began in early May in the northwestern region in particular, and fire occurrence remained at an unusually high level even until mid-September because of the drought situation which continued in virtually all of northern Ontario throughout the past summer.

During the fires of the early spring in the north-western region, considerable private property—cottages and so on—was lost and throughout the season substantial timber was destroyed, both in planned cut areas and harvested wood. As well, large fires caused some disruption in wood production, mining activities and our own planting and other silviculture programmes. I would add, Mr. Chairman, we also had difficulty in applying our Crown land camping programme in

northwestern Ontario of which the member for Rainy River (Mr. Reid) I am sure is very much aware.

During this fiscal year, this ministry is maintaining the 1975 initiative in terms of manning and equipment levels. Two new regional service centres are scheduled for opening late this fall. These facilities, located at Thunder Bay and Dryden, will provide the much-needed physical plant from which to manage the fire programme within these two regions, including warehousing, aircraft dispatch, equipment recycling and equipment dispatch.

My staff advises me that in light of the severe drought throughout much of the north, particularly west of Lake Nipigon, and the long-range predictions of no substantial rainfall prior to freeze-up early next spring, it is quite conceivable that the 1977 fire season may demand yet another all-out effort to control and minimize damage to our resources and private property.

And here, Mr. Chairman, I would like to pay special recognition to the members of my staff who worked exceptionally long hours and were under tremendous pressure during the 1976 summer season.

Dwindling fish stocks in several key commercial fishing waters have been of concern to my fisheries scientists and, indeed, to international organizations such as the Great Lakes Fisheries Commission.

The role that improper exploitation practices have played in depressing fish stocks has become more clearly recognized in recent years. This year I found it necessary to issue a strong warning to commercial fishermen in Lake Erie in an effort to protect the yellow perch stocks which had become severely depressed through over-exploitation. A minimum size limit was strictly enforced and consequently commercial fishing operations were severely curtailed during the summer months.

There is already evidence that this action on perch has been successful. Fishermen are now reporting improved catches of yellow perch over the eight-inch length. Also, for the first time since the eastern Lake Erie basin was closed to pickerel catches, we have been able to authorize a quota of 400,000 pounds of that fish which meets acceptable health standards of mercury contamination.

In the overall, it is becoming evident that the present resource cannot provide suitable returns to the number of fishermen currently engaged in the industry. My ministry is seeking the means by which to rationalize participation in the fishery with the availability of the resource, so that commercial fishery



can make a solid contribution to the economy of the province and to our fishing communities.

One example of the studies being conducted is the one I ordered in September; that is, to do a perch sampling programme this fall in the Long Point Bay waters. This step is in response to the question raised by Port Dover fishermen—I am sure the chairman is very much aware of that—as to whether those waters have a different perch population which requires different management techniques.

In the long run, I am optimistic that new fisheries initiatives in strategic planning, disease and parasite control (such as the sea lamprey problem), fish plantings for rehabilitation and other measures will combine towards bringing back the once very valuable resource of commercial fish.

Contaminants: The problems created by mercury, PCBs and other chemicals in fish are still with us and will no doubt persist. My ministry will continue to play its designated role by collecting fish samples for analysis by the Ministry of the Environment, and working co-operatively with other ministries to ensure that the health risks presented by these contaminants are kept to an absolute minimum. We will modify fishing regulations when necessary and continue to work closely with the Ministry of Health in the preparation and issuing of public health warnings.

Lake and stream surveys: About 1,000 bodies of water are being intensively surveyed each year as to their physical, chemical and biological characteristics. The information so gained is of course used in our fisheries programme and contributes toward lake development plans, tourism inquiries, environmental assessments and similar activities.

Enforcement is always a point of interest. The fish and wildlife enforcement programme will be maintained this year at the same levels as in 1975-76, when 25 conservation officers were added to our staff.

A formal training programme in law enforcement for 160 conservation officers is being implemented by a recent addition to our staff, a former member of the Royal Canadian Mounted Police, who took on the new role of provincial enforcement specialist in August. The programme is scheduled to be completed by mid-December.

Mines programmes: As you have heard earlier today, the major recommendation of the Ham commission on the health and safety of miners—

**Mr. Sargent:** Why didn't you tell us that in the House instead of down here? There's nobody in the House and this place is full.

**Hon. Mr. Bernier:** I am glad we attract so much attention. It's tremendous. I'm very encouraged.

**Mr. Sargent:** It means you are in trouble.

**Hon. Mr. Bernier:** I didn't take it that way. I thought there was so much interest in the Ministry of Natural Resources.

Interjections.

**Mr. Chairman:** Order, please. Mr. Minister, will you continue?

**Hon. Mr. Bernier:** As you have heard earlier today, the major recommendation of the Ham commission on the health and safety of miners—that occupational health and safety should be regulated by a separate authority under the Ministry of Labour—is being implemented by the government.

Thus, the mines engineering branch, which concerns itself with monitoring and enforcing health and safety standards in mines, transfers from my ministry to that authority.

Because of the criticism that has been raised about that particular branch in discussions of this situation, I would like to put on record two important points:

That the mines engineering branch has been thoroughly revamped during the past two years; and

That the director, Peter McCrodon, and the staff he has organized in Queen's Park and in the field are dedicated and valued civil servants whom I and the rest of the ministry want to wish well in their new operating location.

This past summer we had 33 geological survey parties in the field, engaged in 39 projects. And following our concern for new sources of energy, and the place that uranium will have in future power developments, we are continuing the multi-year programme, begun last year with the federal government, to map Ontario by airborne radiometry. Another part of the joint uranium survey is the carrying out of geochemical sampling of lake sediments in a 6,700-square-mile area north of Kingston.

But what is vital to realize is that our province is one of the most highly prospected areas in the world. Our experts feel that most of the valuable mineral deposits which are exposed at the surface have already been discovered. The next stage is to explore already prospected parts of the province, using new technology. Geological exploration of a particular area is not a one-time thing; in fact,



it is never completed. Scientists consider that the potential for new discoveries in Ontario is still great. But we now have to get under the bedrock surface, or find what is hidden under the thick cover of glacial debris.

This will demand even more sophisticated exploration techniques, as well as a much better knowledge of why valuable mineral deposits occur where they do. For these reasons, my ministry set up last year a geochronology laboratory in conjunction with the Royal Ontario Museum. It is designed to advance our knowledge by determining the absolute ages of mineral deposits and the rocks in which they occur. The laboratory will be operating by the end of this fiscal year, and our geochronologist, Dr. Paul Nunes, commenced field studies this summer in northern Ontario.

Another important aspect of our geological work is to explore new sources of aggregates, the resource we need so badly for construction purposes. The need has become particularly critical in southern Ontario, but is also becoming serious close to the larger urban centres in northern Ontario. The central Ontario working party on mineral aggregates is one step we have taken toward resolving this problem. This group is chaired by George Jewett, executive director of the division of mines in my ministry. The other members include representatives of the municipalities, the sand and gravel industry and other provincial ministries.

Since it was set up in December of last year, the aggregate working party has conducted 13 meetings and several open houses to get public comment and participation. This has allowed the members to review the options in dealing with the mineral aggregate supply situation in the province. I am advised the recommendations of the working party are to be in my hands before the end of this calendar year.

Conservation authorities: You may not have realized it, but it is exactly 30 years since the Conservation Authorities Act was passed by the Legislature. Three conservation authorities were the original ones formed in 1946—the Ausable River Conservation Authority, the Etobicoke River Conservation Authority and the Ganaraska Conservation Authority. All three were later expanded and consolidated into larger authorities. Today there are 38 conservation authorities—33 in southern Ontario and five in northern Ontario. In fact, it is fair to say that for years the conservation authorities represented a form of regional government for the specific purposes of conservation.

In the 30 years the authorities have made a notable contribution to the conservation and management of natural resources. Water management was, and continues to be, a major concern of most conservation authorities. The Shand and Conestoga dams on the Grand River system and the Fanshawe dam on the Thames are structures built in earlier years of authorities. The Guelph dam and reservoir in the Grand River is the most recently completed water control structure and is now in operation.

An early concern and activity of many conservation authorities was reforestation. Such early authorities as the Ganaraska, Moira, Upper Thames and Saugeen, purchased marginal lands for reforestation and placed them under management agreement with the then Department of Lands and Forests. Today some of these forests planted in the late 1940s and the 1950s are living monuments to the concern and the interest of early conservationists. These woodlands provide both forest products and recreational opportunities.

[8:30]

Some 90,000 acres of conservation authority forest land are under agreement with the ministry. Acquisition of forest land by conservation authorities has all but stopped due to the high cost of land and to the changing perception by authorities as to their goals and objectives.

On this 30th anniversary, I want to pay tribute to the many dedicated men and women who serve and have served in the authorities. So many of them have given freely of their time, talents and experience for the benefit of their conservation authority and of their province. We owe a debt to them.

Water control: The Canada/Ontario Great Lakes shore damage survey, undertaken jointly by my ministry and Environment Canada has been completed. Its aim was to gather information to assist in making decisions about long-term protection and other strategies to combat erosion and flooding. The technical report and atlas, produced by the survey, was released this past June. We can make that copy available to the members of the committee just for examination, because it is relatively technical and very large.

The work was completed under an agreement between the government of Ontario and the federal government. It was an outgrowth of our mutual concern that sufficient information did not exist on which to base a management programme for the Great Lakes shoreline which is subject to flooding and erosion.

The survey compiled data on the causes of flood and erosion, their magnitude and consequences, and examined some alternative strategies for dealing with those problems. The report made recommendations for more effective shore management. We are taking immediate steps to implement these recommendations in co-operation with the federal government, the local municipalities and the conservation authorities.

As a matter of interest, I'd like to mention that the Great Lakes are in a high water level cycle now, and have been for the past four years.

This was due to much rain and the inability of the St. Lawrence River to accommodate greater outflows without downstream flooding.

Right now, according to Environment Canada, the level at the Great Lakes outlet at Cornwall is midway between the high and low marks, between which there is a four-foot spread. The level is expected to decline by about a foot in December, and then rise in January and February as ice affects the outflow in the St. Lawrence.

Resource access activity: During this fiscal year, my ministry has been involved in the construction and reconstruction of 146 miles of road under its normal resource access programme and 33 miles of primary road under the Northern Ontario Resources Transportation Committee programme.

The Northern Ontario Resources Transportation Committee plans to continue the construction of winter roads. Such roads have resulted in lower transportation costs and successfully reduced the cost of goods and services to native communities such as Round Lake, Fort Albany and Attawapiskat. In addition, the committee intends to expand its programme of opening snowmobile trails to provide links between northern native communities.

Parks: We opened one new provincial park this year—MacGregor Point on July 1. It is situated on the shore of Lake Huron, five miles south of Port Elgin, and will serve a population of more than four million who live within a three-hour drive. MacGregor Point is a recreational class park covering 2,600 acres.

It replaces the Inverhuron Park campground which has been phased out to permit expansion of the nuclear energy programme at Douglas Point. Inverhuron will continue as a day-use park providing excellent swimming and picnicking facilities. MacGregor Point was the only new park because of budget constraints.

In that vein, we have introduced a privatization programme with two of our existing parks. We turned over the operation of two provincial parks—Sturgeon Bay around Parry Sound and Inwood around Thunder Bay—to private concessionaires. Entry and camping fees were the same as those charged at other provincial parks and maintenance standards were also similar. The only differences that the park visitors may have noticed were that the staff didn't wear Ministry of Natural Resources uniforms and there was a charge for firewood. The hoped-for advantage of privatization of this kind is that we continue the variety and quality of park services to the public without accompanying budget increases and despite staff reductions.

The ministry is making progress in the park master plan programme. At present, there are eight provincial park master plans that have been approved and made public; 24 other master plans are currently awaiting final review and approval. They include plans for Quetico, Sibley and Rondeau parks. A further 30 master planning projects are in progress.

One of the most interesting and significant of these plans in progress is that for Polar Bear Provincial Park. It is a huge 9,300-square-mile park at the corner of Hudson and James bays. A background information document and a planning proposal will be available to the public for review and comment before the end of this year. To ensure that the native people in the area have an opportunity to participate in the preparation of the final master plan, copies of these documents, translated into Cree, will be made available. My staff, who will be capable of speaking Cree or who will use interpreters, will then follow up for full discussion with the native people and their leaders.

Youth programmes: This year my ministry's Junior Ranger programme involved a total of 1,606 young people; 480 of them girls and 1,126 boys. Their camps totalled 63, located in 36 districts; 19 of the camps were for girls. As for Experience '76, the number of students hired by my ministry was 2,976 of whom 1,569 worked in ministry offices and 1,407 worked for conservation authorities. An interesting sidelight of our ministry's Experience '76 programme was a successful pilot project in some of our remote Indian communities. One example was at the following communities north of Sioux Lookout: Lac Seul, Weagamow Lake, Cat Lake, Big Trout Lake, Bearskin Lake and Sachigo Lake. Girls and boys from each community were selected



to do such work as cutting brush nearby, cleaning up dump areas, building docks for boats and aircraft, building outhouses, digging dump sites, helping older persons in the community and general groundskeeping.

In all, 35 students were involved in this project, an average of four from each community. The reaction I've been receiving has been quite enthusiastic both from the band leaders and from the students themselves..

A similar programme was held in the Red Lake district with about two dozen students being employed in the Sandy Lake, Deer Lake and North Spirit Lake communities. This summer's programme was an enlarged follow-up of an experiment we held under the Experience '75 programme at Weagamow Lake with four resident students involved.

The government has, in every case, asked the Indian chiefs and the band councils involved to select the students for the projects. The results have been quite satisfactory and it is my hope that we can further expand this unique summer student programme in other northern remote Indian communities if funds can be made available next year.

While on the subject of native people, I am happy to remind you that last month we turned over the ownership of the Tidewater Goose Camp to James Rickard of the Moose Factory band. He has been camp manager since the camp was established in 1970. It had been financially supported through the federal-provincial resource development agreement, of which my ministry is a partner.

The change of ownership was recommended by the Moose Factory band, and the Ontario government and the federal Department of Indian Affairs and Northern Development was pleased to approve this move.

There are five goose camps being operated under the joint agreement at Fort Severn, Winisk, Attawapiskat, Kapiskau and Kasachewan, and three of these are now approaching a similar state of development and will eventually be turned over to the native people to operate themselves.

One final highlight, which is close to my heart, will complete my remarks. In the native community of Weagamow, which I have already mentioned in connection with the summer student programmes, other strides have been made to help the band toward economic health. Several years ago the band acquired its own airplane and, through the services of the Ministry of Transportation and Communications, an airstrip was built during 1974 large enough to accommo-

date DC-3s. This has made the community an important link in northern transportation. Planes are handled almost daily there and two airlines carry on passenger service Monday through Saturday.

Another development of equal significance was the opening of a winter road that links Weagamow with Pickle Lake. This road was built through NORT, the Northern Ontario Resources Transportation Committee, under supervision by my ministry. This road allowed the village to become a trans-shipment link for trucked-in freight destined for settlements farther north. A snowmobile trail was cut from Weagamow to Muskrat Dam, also through NORT, and built by Indian workers under Natural Resources supervision.

I am reporting this example, not because it boosts one particular community, but because it provides stronger links in communication and transportation to many other native settlements in the north. Time prevents me from elaborating at this point on many subjects of importance, such as mercury, moose management, endangered species, and pits and quarries. However I am sure there will be ample opportunity to discuss many of these during the debates that will follow.

Mr. Chairman and members of the committee, this winds up my opening remarks for examination of the estimates of the Ministry of Natural Resources.

**Mr. Stokes:** First of all, I want to explain my presence here tonight inasmuch as I do have responsibilities in other areas during the operation of this Legislature but it was dictated by two particular events. One was the illness of the very capable and very zealous member for Sudbury East (Mr. Martel) who was taken ill and wasn't able to be here. I was given the opportunity by my party and asked to do the leadoff, which I do with a great deal of enthusiasm, perhaps not as much prepared as I would have liked to have been.

I do so simply because I do have a profound interest and concern in this ministry because in many respects the operation of this ministry has a very profound effect on the economy of the area of the province that I have the privilege to represent. As goes the Ministry of Natural Resources, so goes the economy of northwestern Ontario. That's why I think it behoves everybody in the Province of Ontario, and particularly those of us in the north, to be quite vocal, to be quite critical and to do a detailed in-depth analysis of what is going on in this ministry, if the area in the province that we hold near and dear is going to come into its own.



As I have reminded the minister and his ministry on so many occasions in the past, that were it not for that tremendous storehouse of natural resources and wealth that we have in such abundance in northwestern Ontario, I am afraid this hungry industrial megalopolis that we have down here surrounding the Great Lakes would cease to operate, certainly as effectively as it does at the present time. I am afraid that were the resources that we do have to dwindle or diminish in any way, shape or form it would have a most profound effect on the total economy of the province and certainly the total economy of the country. That is the reason why I have availed myself of the opportunity to be here tonight. I welcome it and look forward to a good healthy debate.

[8:45]

The minister comes before us in the fall of 1976 asking for \$213,122,000 to operate an ever-expanding ministry where he has taken unto himself even more responsibilities than ever before at a time when the cost of everything is escalating and he isn't even asking for as much money this year as what was estimated for during the past fiscal year. He's down some \$4 million at a time in our history when he has undertaken to do much more than was ever dared by this ministry and at a time when he has made commitments to the resource sector that he's going to do even much more than he has ever attempted to do in the past. I think that the minister has some explaining to do as to why he wasn't able to prevail upon his cabinet colleagues to allocate a much greater amount of funding for this fiscal year at a time when it's so very important that he do just that.

He alluded to the staff that's here in such great profusion tonight and how zealous they were, what wonderful people they were and how dedicated and committed they were, and I would have to agree with him. There are, though, a few people at the top of the bureaucracy down here in Toronto who, I feel, in the last two or three years have based their decisions more on political considerations and outside influences, decisions based on expediency and catering to special interest groups rather than managing a resource that's so very important to the economy of this province.

I've had an opportunity over the last three years to speak to the Canadian Institute of Forestry and the Ontario Professional Foresters' Association. They continue to invite me back; so I think most of the things that I have been saying to them about the forestry resource

must have some relevance to them; otherwise they wouldn't continue to ask me to participate. During my latest venture into their presence, I referred to the dedication of the people within the Ministry of Natural Resources, particularly the line foresters—those people out where the action is. I'm not referring to those within the ministry who have become administrators and paper-pushers. I'm talking about those who are actually concerned about the resources and working with the resources on a daily basis. I referred to the bureaucrats and the mandarins in the ivory tower.

I'm very disappointed because I have made what I consider to be a comprehensive analysis of the forest industry over the past nine years that it's been my pleasure to sit in this House, and I had the feeling for the first five or six years that they were doing an honest, sincere and dedicated job. I've had to change my opinion of those people who are making the ultimate decisions here in the ivory tower, for having absolutely no regard for what is going on out in the field and what is happening to the most precious resource that we have in the province. In fact, I'm trying to provoke the minister into justifying many of the decisions that have been taken, as I say, based on pure crass political considerations rather than on sound forest management practices, based on what your people out in the field are telling you must be done.

Harkening back to this afternoon when the minister tabled a memorandum of understanding that's going to have a very profound effect on a very important area of the province, he didn't tell us the area that he was talking about. He said that it was north and east of Red Lake.

**Hon. Mr. Bernier:** The tabled agreement is right in front of you; the map is there.

**Mr. Stokes:** I didn't see the agreement.

**Hon. Mr. Bernier:** It's with the Speaker.

**Mr. Stokes:** I've heard conflicting statements as to the size. The lower figure is something like 18,000 square miles and the higher figure is something like 24,000 square miles. There are two agreements. A cursory inventory was made on the area in question on 6,000 square miles. A joint examination was made of the potential wood stock and fibre stock on 6,000 square miles. Then, in addition to that, there is another 18,000 square miles. Whether or not both of those are in the memorandum of understanding signed today, I don't know and I would like that clarified.

What we do know for sure, though, is that it is the very last area of the province that could be commercially viable from a fibre-harvesting point of view. I'm sure you know that an area, whether it's 16,000 square miles, 18,000 square miles or 24,000 square miles, is bigger than a good many jurisdictions in this country of Canada. I suspect that it is larger than New Brunswick, much larger than Nova Scotia and certainly an area that we can't treat lightly. It is an area that we have to protect with all of the ingenuity and all of the zealously that we can muster because once that's gone it's all gone.

We can't say to large companies like Domtar, Kimberly-Clark and Great Lakes Paper, "Sure, we know you've highgraded. We know that when you were only harvesting 35 to 40 per cent of the allowable cut in all species and up to 50 to 60 per cent of the prime species, when you highgraded that you could move over to another sector and do the same again and hope that nature in some way, shape or form would have something for us by way of wood fibre on the next rotation." You can no longer afford that luxury. That's why we in this party, that's why a good many of the foresters within the ministry and almost without exception all of the foresters within the academic community, whether it be in the forestry schools at Lakehead University, or whether it be in the forestry schools down here across the road at the University of Toronto, to a man, are in complete opposition to any blanket agreement given to any company, let alone Reed Paper whose track record in the field of regeneration at the time of cutting and the methods they use in cutting that will enhance the regenerative capabilities of that land leave a lot to be desired.

That's why we collectively are concerned about this and we'll be watching with a great deal of interest the kind of developments that will take place over the next 18 months when you expect that the jury will be in with regard to whether or not there will be sufficient wood fibre on that 16,000 to 24,000 square miles to justify the kind of expenditure that you and Reed Paper are talking about.

I question why it should take 18 months. For a number of years here in this Legislature and while discussing the estimates of this ministry, I was always led to believe that for decades now this ministry in a very systematic and in a very methodical way had a good hand on the inventory, the age classes and the various species that were available to us on a sustained yield basis. It wasn't until the last round of expansion

occasioned by Kimberly-Clark and Great Lakes Paper that we found we had been sold a bill of goods. It took me along time to get wise to the fact that you people were dealing with statistics and with an inventory analysis that were at least 20 years out of date. When I mentioned that—I believe it was three years ago—I was told that I was off my rocker and I was just out of touch. The statement you made here in the Legislature this afternoon just proves my point.

Granted, we didn't take as close an inventory on those stocks of merchantable timber above the 51st parallel, but the very thing that you're found wanting is in being able to make up your mind as to whether or not there are sufficient stocks of timber on the very last of our block of what we would call a natural forest, a climax forest, virgin timber, which is in jeopardy of going in the same direction and down the same trail that all of our resources have in the past. You don't have to take my word for it. I get around the province. I talk to people within your ministry. I talk to people within the industry. I talk to people within the academic community and, to a man, they find the forest management policies of this province wanting. We could get away with it, as I said, when we were only harvesting 35 to 40 per cent of the available cut. We can no longer afford the luxury.

Let me give you some very good examples from your own ministry. Forest Production Policy Options for Ontario, August, 1974, states:

Forest land represents 91 per cent of the total land area of Ontario and has the potential of providing approximately double the present economic and social benefits under intensive management. [That's as recent as 1974.] Comprehensive analyses of future world supply and demand for wood indicate large increases in demand by the year 2000 and anticipate that a major share of it will come from Canada. Forests, besides being a source of industrial timber, are valuable in stabilizing and improving man's outdoor environment and helping him to serve his recreational needs.

Since forest planning is characterized by long-term periods, this study considers five policy options to meet anticipated demands in the year 2020. Decisions on the future of the forest industry must be made now to ensure an adequate supply. A target of 12 million units for the year 2020 to double employment opportunities and industrial activity will require an increase in silvicultural



tural investment from \$8.8 million to \$29.8 million per year. This increase would have to be phased in over a period of time to catch up and keep pace with the area cut, burnt and acquired by the Crown. It is anticipated that the phase-in period would be 10 to 12 years.

That's what your ministry is saying will be adequate to catch up on the backlog of regeneration. You know that there are certain species, such as black spruce, that are overharvested at the present time. You've got something that's called sustained yield, you've got something that's called an allowable cut and you know as well as I do if your foresters are truthful, that there are areas in the province right now where the prime species is being overharvested anywhere from 130 to 150 per cent.

You know about the survey that was done with regard to black spruce, which is the prime species, the species that those companies involved in the production of newsprint find absolutely essential to the survival of their industry. You know what your track record has been on those sites where we look to for black spruce. The regenerative capacity of those fragile areas is down as low as 30 to 35 per cent simply because you have allowed these companies with the approval of your ministry—if your management programmes mean anything it's done with your approval—to go in and to clear-cut large areas on fragile sites where your survival rate after artificial regeneration is down as low as 30 per cent.

[9:00]

It wasn't too long ago, Mr. Minister, that you came before us with a comprehensive plan for the ministry and you anticipated the projected cut was going to be 9.1 million cunits. Before the ink was dry on it, here we've got a report from your own ministry which says it's not going to be 9.1 million cunits at all, it's going to be 12 million cunits.

All of the funds that you have allocated for this phased-in programme for silvicultural treatment and regeneration over the next 10 to 20 years, is predicated on an expenditure in maximum of \$29.8 million, based on an annual harvest of 9.1 million cunits. Now I don't know who dreams up these figures, Mr. Minister. All I know is that we're not going to have the timber. The Armson report tells you the same thing; that we have failed, and we have failed miserably.

There is a series of excellent recommendations associated with the Armson report, and

if I heard what you said correctly after this report was released, you said you agreed with most of it and that you were assessing what was said in it, that most of the recommendations in it were valid recommendations and that you were going to get busy toward its implementation.

I just want to quote briefly from it, because I think most members have a copy of the Armson report; if they haven't there are lots available. He says in part:

Yet if some significant progress has been made in treatment of areas for regeneration there are still obstacles to the implementation of forest management in Ontario. The fact that the forest is viewed as a resource to be exploited is still the most serious impediment to forest management. It is evident in the view of the public who are concerned with the exploitation of the forest by industry and with the conservation and protection of it by government, but not with its management. It is evident in the view of those who are concerned with the preservation of forests for recreation or aesthetic purposes—which is merely another form of exploitation, the locking up of or consuming of large areas for single use—but not with its management. It is evident from the view of industry who are concerned with the allocation of wood from the present forests to supply their mills today, tomorrow and a few years ahead, but not with the forest management. It is evident in the attitudes and views of civil servants and politicians who view the forests as suitable for regulation and administration, but not management. The roots of these attitudes and views are historical and could be anticipated. In the same manner that agriculture in North America has proceeded through three stages of development: One, a stage of shifting cultivation largely associated with the indigenous native population; two, a soil exhausting agriculture associated with the increase in population and permanent settlements of the 19th and 20th centuries; and three, a soil conserving or a fertility producing stage associated with the urbanized and technological society of the 20th century.

I suggest that there is a similar pattern of development in forestry. Mr. Minister, your foresters know that, the people who are responsible for making the ultimate decisions in your ministry know that, you know it, the industry knows it, and I know it. You were given, on page 34 of the Forest Production Policy Options for Ontario, five options. If you do nothing you know what's going to



happen. If you do a little bit, as suggested in the last major statement you made, you're going to fall far short of what is required just to meet the needs of the industry that we've got here now and what is on the drawing board.

Let's talk about what some of the professional foresters are saying. This is one from the academic community. He names several things that must be done and must be done now—this is Professor Hearnden, who is the dean of forestry at Lakehead University.

1. A continuous stable forest policy aimed at sustained yield: If one should seek to find any statutory commitment of Ontario governments past or present to the principle of sustained yield, he will find none. In contrast, The Forest Act of British Columbia records frequently the expression "sustained yield". For example, section 36(15) of that Act stipulates: "The licensee shall manage the licensed area in accordance with the provisions of this section and of the regulations of the management and working plan for the purpose of growing continuously successive crops of forest products to be harvested in approximately equal annual or periodic cuts adjusted to the sustained yield capacity of the licensed area."

The Forest Act of the Province of Alberta indicates a commitment by that province to the principle of sustained yield. Section 3a(2) indicates that: "The director may determine the total amount of timber in a management unit that in his opinion may be cut annually without disturbing the balance between forest growth and depletion."

The forest management agreement between the government of Alberta and Northwestern Pulp and Paper Company specifies that: "On the forest management area the company shall follow sound forestry practices with a view of achieving and maintaining a perpetual sustained yield from the productive forest land and harvest the annual allowable cut of timber in approximately equal or periodic cuts."

Aside from the need for a statutory commitment to a policy of sustained yield I suggest [This is Professor Hearnden] that the government of Ontario should formulate, publish, and publicize widely, a statement of forest policy aimed at the protection, conservation and sustained yield management of sufficient areas of forest land to ensure the maintenance and the improvement of the productive function of

the forest, particularly in relation to soil and water supplies.

2. Permanent dedication of adequate forest reserves: It will be obvious to you that in a period when interest groups are exerting heavy pressure upon the government to set aside for non-consumptive purposes decidedly large areas of Ontario forest land, stability and confidence amongst those concerned with the long-term growing of timber must be assured by the adoption of such a measure.

3. Adequate numbers of professional and technical forestry personnel: It is my opinion that Ontario, both in government and in industry, is not employing a sufficient number of professional foresters and forest technicians to achieve the quantitative objectives of sustained yield. Briefly, those who are so employed are too widely scattered to function effectively and implement a sustained yield policy.

A measure of the problem facing us is provided by the following data: In the United States it has been calculated that the number of foresters employed in that country is equivalent to one per 20,000 acres of forest land. In the world the relationship has been calculated at one forester for 30,000 acres of forest land. Compare those ratios with those for Canada at one forester for every 200,000 acres and Ontario, in which it has been estimated that the relationship is one forester for each 100,000 acres of forest land.

This element perhaps is the most vital of the several which I am listing. I am convinced that without an adequate force of professional foresters and forest technicians, whether in government or industrial employ or both, regardless of the funding provided, effective sustained yield management will not be attained.

4. Prompt, adequate restocking of all cutover and burned areas by suitable tree species: Data released by the Ministry of Natural Resources suggest that at the current level of activity approximately one-third of the areas cutover annually are being regenerated [that means two-thirds aren't]. It is hoped that a further one-third will produce suitable tree crops, thanks to the beneficent efforts of nature unaided by man. The remaining one-third is essentially being written off.

5. Full utilization of all tree species and of individual trees. In 1947, commissioner Howard Kennedy commented at consider-

able length in his report on the appalling waste of timber which he saw on most, if not all, logging operations. The volume of wasted timber of various lengths and in standing trees of unacceptable species is too high. This is a technical and economic problem, but it must be overcome rapidly if we are to utilize effectively the full growth potential of our productive forest sites.

6. Rational organization of the provincial forest estate. The efficiency and control of forestry operations designed to achieve sustained yield can be beneficially or adversely influenced by the nature of the land units established for management purposes. At present, private, municipal and Crown lands complexes of districts, company and Crown management units, timber licences and administrative regions, frequently entailing overlapping and fragmented responsibilities, is entirely unsatisfactory as a basis for efficient planning and implementation of measures from the growing of the second forest. If the provincial primary objective is the efficient sustained yield management of the productive forest land base of the province, the organization and division of that land base must be designed to facilitate rather than impede progress toward that objective. There must be established in the boreal region at least realistic sustained yield units composed of natural watershed areas or portions thereof.

Nearly 30 years ago, commissioner Kennedy expressed strong criticism of the illogical allocation of timber licence areas in the province. It may be sufficient to observe that no significant improvement has been achieved in the past three decades.

The consequence of this problem can be illustrated by the case of one of the major local pulp and paper companies which is hauling pulpwood a distance of 170 miles to Thunder Bay past the door of the mill of another company which is 70 miles closer to the wood source. The fact that the first mentioned company is undertaking that haul on a highway system paralleling one of our national railways is yet another interesting indication of the serious problems facing forestry in Ontario.

7. Integration of logging and silvicultural operations: [and this I consider to be the key one.] It is my opinion that the current forest policy of Ontario, whereunder logging operations and the growing of the second forest on the areas cutover are maintained as totally separated activities, is entirely unsatisfactory. You will hear

about the problems attendant upon those "two solitudes" situation in the field.

It is my [Professor Hearnden's] personal conviction that if the current Crown monopoly of forest management is maintained—

He is the dean of forestry at Lakehead University.

**Mr. Foulds:** Leo, you know him. You bounced him from the Lakehead Conservation Authority.

**Mr. Lewis:** Just about the best forester you have around.

**Hon. Mr. Bernier:** He's not a member of your political party.

**An hon. member:** No, he's one of your people.

**Mr. Chairman:** Order, please. Continue, Mr. Stokes.

**(Mr. Stokes:** To continue:

It is my personal conviction that if the current Crown monopoly of forest management is maintained we shall suffer the biological and economic consequences of the inevitable tendencies of bloated bureaucracies to simplistic—

[9:15]

**Mr. Lewis:** Just look around you.

**Mr. Stokes:** To continue:

—rule-book, centralized direction of programmes and projects. A forest policy which assigns to one agency the physical-technical responsibility for the sustained-yield management of a 60-million-acre forest estate encompassing an infinite range and complexity of site conditions, both natural and man-caused, will fail.

That's why we are worried with regard to the 26,000 square miles up at Reed Paper.

Under this responsibility the tendency of that agency is to seek rapid, large-scale, technical, simplistic solutions to the vast and serious problem confronting it. For example, a few years ago, the tubed seedling programme was hailed as a significant solution to the problem of growing the second forest. In the main the programme proved a failure. More recently, efforts by the provincial nurseries to significantly increase their output of nursery seedlings have led to serious problems in the field. Haste has led to wasted material, manpower and public funds. To date, efforts to mechanize

tree planting in the north have been less than encouraging.

I suggest that the best long-term forestry benefits in Ontario will accrue only through a diversity of approaches taken by responsibly involved organizations, both industrial and governmental. I am, to say the least, sceptical that the in-pouring of ever-increasing amounts of public money, under existing arrangements and conditions, will achieve desired objectives.

[He says, in concluding:] From a professional viewpoint, the most single important current forestry problem facing Ontario is the growing of the second forest.

He ends up by quoting what a previous president of the Canadian Pulp and Paper Association, Mr. R. M. Fowler, said in 1966. Now this isn't some wild-eyed radical, this isn't somebody in a forestry faculty; here is a fellow who speaks for the industry; and he says:

"You can go on as you are—live in the happy assumption of the past that we have unlimited forest assets to draw on and close your eyes to the fact that that assumption is no longer or will no longer be valid—continue with a lot of individual and rather half-hearted efforts to improve silviculture, and do a bit of research and train a few scientists, and build some roads, and tinker with forestry laws and so on. If this is done, most of the people in this room will probably get by. They can work on and take their pensions but, some time, your sons or successors, perhaps 15 or 25 years from now, will feel the bite of wood shortages—and they may wonder why we were so blind and inefficient and unimaginative today."

That's one opinion.

I am sure that many people within the ministry listened with a great deal of interest, as I did, to two world-renowned foresters at a recent seminar at Lakehead University, in the persons of Dr. Borje Steenberg, recently retired FAO assistant director from Stockholm, Sweden; the other one is Dr. S. E. Appelroth, of the Finnish Forest Research Institute, from Helsinki, Finland. I am not going to go into any great detail; I just want to highlight some of the things that Dr. Appelroth, from Finland, had to say.

He talked about how we are going to pay for what I have been talking about and what the foresters have been talking about for the last several months. We collect something between \$28 million and \$30 million by way of stumpage to finance \$46 million worth of activity in the resource products sector of this

estimate. The average stumpage price paid in private forests in 1974 in Finland was \$66 per cord. He says:

We cannot afford to carry on forestry without commercial thinnings. Although we know that it is impossible to increase the total volume of stemwood produced during a rotation by thinning, there are several arguments which make it a necessity for us.

There are some statistics in the field of tree planting. To put it in perspective, what they are doing there with what we are doing here.

The annual area of tree planting has escalated to a half of one per cent of Finland's forest area, or one-quarter billion trees a year have been planted. Now, if you transpose that into the cutover area that we have in Canada, if we were keeping pace with their activity in Finland, that means Canada would be planting three billion trees a year. That's in tree planting. In direct seeding, the area planted or seeded during last year was 320,000 acres in Finland, a relatively small country and a country that has less than one tenth of the forestry area and resources that Canada has.

This intensity corresponds to 3.5 million acres per Canada's productive forest area. Well, I don't need to tell you that we harvested here in Ontario over 500,000 acres last year alone, and it will increase as our utilization goes up. You heard what Dr. Hearnden said that about one-third of that 500,000 acres is being treated by artificial regenerative means in the province of Ontario. They are doing 323,000 acres with less than one-tenth of the forested area that Canada has, or Ontario has.

There's one other point—here it is—in 1974 the total stumpage was estimated at \$783 million and wages at \$438 million while the total cost of silviculture and basic forest improvement operations was \$93 million, which would equal \$9 billion in stumpage, \$5 billion in wages and \$1 billion in silviculture and basic forest improvement if Canada was keeping pace with them.

They are spending \$93 million on silviculture treatment, thinning, reforestation, all of the things that they do over there so well; \$93 million. You are going to spend or at least you are asking for \$46 million for the whole resource products sector. That puts it in perspective with regard to what Finland is doing.

Let me just quote briefly from a couple of things that Dr. Steenberg says about Sweden, and it harkens back to something I said earlier about policy:



Forest policy, or what is called forest policy, is not made and frequently not even proposed by people with a background in conventional forestry matters. [He is referring specifically to Canada because he has some knowledge of what goes on. He says:] Let me remind you that an increasing number of countries have placed forestry matters under a department of the environment. The department of the environment is not just another new ministry like old type sectional departments, say like the old Canadian Department of Forestry and Fisheries or a department of transportation. The department of the environment is set up to be on a par with the Department of Defence and the Department of Finance. It is supposed to have a high cabinet rank. The reason is that the political state has now realized its task is now limited to guaranteeing national independence and to the overall supervision of the economy for the benefit of everybody, but includes the responsibility to guarantee the nation an environment in which its people can live and continue to live.

We are talking about not only what is going on with regard to the environment in the Province of Ontario, because what you do in forestry, what you do with the disorderly exploitation of our resources has a very profound effect on the environment. It says:

By putting forestry under this department, forestry has not lost but in fact considerably gained in stature. The challenge to foresters is to utilize the position of coming closer to the power of the state. This can be done only by acting with technical superiority in the new political field. I should like to compare the task with that of the military men when they advise the Ministry of Defence. The stage is thus set for renegotiating the contract between forestry and the society, and both partners are now committed to sustained yield.

So it goes. That's what the world experts think of what we are doing in the field of forestry, but let's get closer to home here.

You, Mr. Minister, were asked in the question period this afternoon if you would care to comment on some of the things that had been said by some pretty dedicated people within your ministry, and here's one of them: "How does today's forest manager meet the projected demands on his forest through growing trees now?" This is a unit forester. He works for you. "The answer to this rather insidious question is one that should be care-

fully considered by each management forester." And the question is, let me repeat: "How does today's forest manager meet the projected demands on his forest through growing trees now?" J. R. Cary of your ministry says:

If I am to be ingenuous and candid, the answer must be negative. It isn't too late in Ontario, yet time is slipping away. We have the knowledge, we know how to grow trees. We have the legislation. We have a reasonable production policy. We are a rich province. Most important, we still have a forest. In arriving at my answer, I found my conclusion to be a product of a highly interrelated set of factors. The most important of these are the professional dedication and zeal of the field forester [and I can attest to that personally, Mr. Minister] the manpower and funding at his disposal and the nature and extent of the cutting operation of his unit.

I would like to examine a few of these points as they relate to the land base under my jurisdiction in an effort to lay before you the reasons for my doubt. One basic assumption must be made and it is this, that the unit manager is doing his damndest to grow trees on his unit. Ontario's forest production policy provides for a sustained annual harvest of 9.1 million cunits of wood from 400,000 regenerated acres yielding 20 cunits per acre at the year 2020. Each region, district and unit has a responsibility to achieve regeneration and tending targets that keep pace with the expansion of the cut into full utilization. That figure of 9.1 million cunits is a reasonable one and if it is backed by funding and manpower it ought to be attainable.

The reasons for Management Board funding are esoteric and beyond the ken of the management forester. All he experiences is frequent rape of his budget in activities such as tending, assessment, data collection and road construction moneys. He muses whimsically sometimes on the vast sums of money pouring off his unit into the public purse and how little he gets back. However, I believe that manpower inadequacy is at the heart of our problem. Work loads are enormous on both technical and professional field staff. With our current streamlining, complement attrition is an act of policy. [And you boast about it, Mr. Minister.] Surely the unit manager must be given the chance to select his level of management intensity and not have to make silvicultural de-

cisions based on what his human resources can be stretched to cover. The company management unit in Dryden, Ontario, that I work on has some 965,000 productive forest acres. [And Dryden is pretty close to home; it's pretty close to the minister, it's pretty close to Reed Paper.]

Its regeneration objective by 2020 is 6,900 acres of the annual cut of approximately 13,000 acres, or nearly 55 per cent of the cutover. Table 1 illustrates what has happened since the start of the management period and the inception of the production policy.

Let me read it to you.

In the year 1970-71, 5,100 acres were cut over, 2,620 were regenerated. In 1972-73, 9,040 acres were cut over; 2,290 were regenerated. That's a far cry from even the one-third you people brag about.

[9:30]

**Mr. Lewis:** That's Reed Paper that they're giving this new licence to.

**Mr. Stokes:** That's right.

In 1973-74, 11,300 acres were cut over; 3,250 regenerated.

In 1974-75, 12,620 acres were cut over, 3,500 regenerated.

The estimate for 1975-76 was 13,500 acres cut over; 2,710 regenerated. And the estimate for this fiscal year is that 12,500 acres will be cut; and 3,600 will be regenerated.

Approximately 25 per cent of the cut is now being treated.

The real barriers to increasing this low proportion are not so much money, but manpower, site and technological problems. Local topography, very shallow soils, residual trees, logging wastes and access pose insurmountable obstacles to planting and mechanical site preparation. I will now attempt to outline the reasons for this apparent proportional shrinkage in regenerated acres as the cut enlarges.

The premise, no cutting without silvicultural prescription, is neither startling nor revolutionary. However, for want of better terms, uncontrolled clear-cutting in boreal softwoods and partial cut high-grade practices in the boreal mixed wood stands occur not only in Dryden, but across northern Ontario. Both these methods of cutting are not part of any forest management system, to my knowledge.

Nor to mine, Mr. Minister, nor to most foresters that I've spoken to.

From experience and conversations with foresters in the boreal region, my situation is unfortunately far from unique. The high-volume, close-to-the-mill, easily treatable stands have gone.

That's the high-grading we talked about.

The logging chance now lies in the low yield or distant stands. Reed Paper apply for a logging chance of 25,000 acres annually. Despite the fact that only 55 per cent of the area will actually be cut, an intensive pre-cut survey of the gross area is necessary. One forester and two technicians cannot carry out this task in the busy snow-free months.

Professor Hearnden alluded to that in his remarks.

Their non-intensive, general prescription for the logging chance may be, but more likely may not be, the correct one. Sites that cannot be handled by scarification machinery are usually therefore not removed from the cut. Non-marketable species are left standing or [just knocked] down. The poplar and birch working groups are high-graded for their spruce and pine. If more than 75 large hardwood stems per acre are left, the area is almost untreatable. Most of these stands degenerate into silvicultural ghettos.

The cut on the Reed unit is controlled by area and if the company partially cuts the 25,000 acres to arrive at a 13,000 acre cutover figure, the balance is presumably either non-operable or non-marketable, must then be depleted as a cut control measure. This will, of course, put the annual cutover far beyond the allowable figure.

Providing that 25 per cent of the cut acres are treated and perhaps 15 per cent will be naturally regenerated, what of the balance? It is the writer's opinion that those acres will not produce the species or the yield that is demanded by the production policy. In 1973 and 1974, regeneration surveys of untreated areas show desirable species stocking to an average of 35 per cent of cutovers up to 10 years old. Artificial regeneration in Dryden has not been a total success. Assessment records show that since 1971, 40 per cent of our planted areas are less than 40 per cent stocked or have failed. Fifty per cent are unsatisfactorily stocked and 10 per cent have stayed within desirable stocking standards. A survey in 1973 showed direct seeding to be a failure over 50 per cent of the area surveyed. A later one in 1975 showed

that of 6,000 acres cruised, 20 per cent have failed, 50 per cent were unsatisfactorily stocked and 30 per cent had desirable stocking.

**Mr. Lewis:** This is the company you're giving the licence to.

**Mr. Stokes:** It goes on:

The nature and quality of our nursery stock is beyond the scope of this discussion. Survival data must force those responsible for stock production and field planting to improve all aspects of this part of the regeneration programme.

If 60 per cent of the cut-over is regenerated unsatisfactorily then annually some 7,800 acres do not need our production standards. These acres either go out of production or stay in production at a greatly reduced and unacceptable rate. If this figure is extrapolated to 2020 from 1973, we arrive at the disturbing total of 366,600 acres or 38 per cent of the unit's productive forest acreage. If depletions are added to the 13,000 acre annual cut-over, the total going out of production becomes even larger.

Now this extrapolating is hypothetical if we continue on at the present pace.

Is the unit's regeneration target unrealistic? If there is no attempt to cope with today's conditions of shrinking timber resources and increasing demands by intensifying regeneration efforts on the better sites, the target may have to be lowered. If Dryden is a representative microcosm of Ontario's coniferous forests the awesome spectacle of huge acreages going out of production annually must alarm all foresters.

**Mr. Lewis:** It's nice you're going to give them 16 million square miles.

**Mr. Stokes:** That's one of them. Here's another one.

Interjection.

**Mr. Chairman:** Order, please.

**Mr. Lewis:** That's what you're doing.

**Mr. Stokes:** An inter-office memo dated April 26, 1976. It is a memorandum to Mr. V. W. Rudik, assistant director, environmental approvals branch, from Mr. M. D. Kirk, environmental planner, and the subject is "Seminar on Forest Management and Environment, April 20 to April 23, 1976."

**Hon. Mr. Bernier:** He used to work for the Ministry of Natural Resources.

**Mr. Stokes:** It says:

The seminar was conducted by Professors Paul Aird and Dick Fisher of the faculty of forestry, University of Toronto. In attendance at the four-day session were 15 industrial foresters from woodlands operations and three MNR forest management foresters.

The subject matter and problems were too lengthy to be reported in detail so therefore this report will be confined to matters relevant to the concerns of MOE [the Ministry of the Environment].

1. The Environmental Assessment Act: I spoke of the nature and the process of this Act as it will be applied in Ontario, the rationale for its origins and its application to a few specific activities to date.

The Act was well received by the woods managers who appear to welcome consistent planning and timber management policies. Fears of additional red tape were not apparent. Further controls may reduce public criticism which is mounting over some clear-cutting practices.

The three MNR foresters were members of a special task force to design and submit guidelines for EA on woodland management. The management matrix which await senior level and MOE approval are well thought out and a credit to these three men [that I referred to earlier].

These MNR foresters welcome The Environmental Assessment Act which will fortify [now listen to this] the inadequate attempts to enforce The Crown Timber Act. The ministry has failed to secure adequate regeneration in a large portion of licensed timber limits, and has failed by in-house consensus—

This is not the New Democratic Party talking, this is not somebody in the academic community, this isn't some environmental group.

The ministry has failed to control or mitigate bad logging and road-building practices by industry. Actually, MNR and industry have good management plans but these have been ineffective through lack of monitoring. This reflects MNR staff shortages and/or undue influence by industry on MNR at a political or administrative level.

**Mr. Lewis:** Which is it, political or administrative? It's like the mining sector.

**Mr. Stokes:** Both. The memo continues:

Major forestry problems: Clear-cutting and highgrading by Ontario's forest industries, according to MNR foresters, are out of con-



tol. Many clear-cuts are so extensive that the regeneration is poor or non-existent, even with artificial restocking due to micro-climatic changes in cut areas. As a result the extent of forests not restocking after logging increases annually. The decline of regenerating forest, tied with the predicted expansion of future timber demand, will likely lead to a timber shortage by the end of the year 2000. The depletion of timber stocks has been partially concealed by the fact that the actual cut is considered below the allowable cut, which includes poplar, a species not in demand by pulp wood operators at this time.

If and when this situation reaches the public, [and I guess if it hasn't already now, it will tonight] MNR foresters feel they will be called to account for not tending the shop. Industrial foresters were called upon to get involved. So extensive is the lack of actual knowledge in the management of the boreal forest that foresters find themselves practicing without adequate information. Canada spends much less on research than any developed forestry country. The results are showing.

Well that's what they say. Now this is what I've got to say. It has been accepted and recognized for years that the province and the province alone has the necessary resources and the obligation to implement a sound management programme. It is without doubt the responsibility of government to protect the resource from ill-conceived forestry practices which no doubt maximize immediate return but leave in their wake a combination of floods, droughts, soil erosion, siltation and depletion of the resource. It is clearly the responsibility of government, you the minister and professional foresters to protect the public interest against the greed and the indifference of the user and to study an inventory volume and species and to allocate and to supervise orderly harvesting.

After decades of study, analysis and flogging with a wet noodle, the government embarked upon a province-wide inventory as early as 1946. On the basis of this information, allowable cut and sustained yield became the so-called criteria for harvesting operations and 20-year management plans were produced. Experience acquired indicated the need for more information, and in 1958 a so-called more sophisticated method of inventory was introduced. As records improved, the lack of adequate regeneration on many sites was documented.

As an example, during 1971-72, an area covering 5,100 acres was harvested near Dry-

den, while only 2,600 acres were treated. In the same district 12,500 acres were harvested, but only 3,600 were treated.

[9:45]

As early as the year 1910, shortly after the founding of the Canadian Forestry Association, which numbered among its members professional foresters, bankers and other assorted businessmen, clergymen, journalists, professors, civil servants and politicians, it was said that Canada was still largely dominated by the idea that any ordinary, capable amateur can do the work which ought to be done by a trained scientific man. It was also stated at the time that until they eradicate this fallacy and in its place implant the view that men who are technically trained are the only men competent to deal with technical problems, they would not begin to attain general success in making the best use of resources at their disposal. Industrialists saw themselves as the epitome of social efficiency and saw themselves continuing forever under professional scientific management.

To J. R. Booth, the wise use of the forest was merely prevention of forest fires. He was quoted in 1918 as saying that "there will be more pine in this country in 100 years from now than there was 50 years ago." Well, you and I know how far off the mark he was. As early as 1913 it was stated by a lumberman politician that "the public does not as yet know that a large part of every country, and of Canada in particular, is fitted only to growing trees and that, devoted to that purpose, it will produce wealth for the whole nation, while to attempt to farm such areas or to leave them to take care of themselves"—and I underline those words—"has resulted, and always will result, in barrenness, waste, depopulation and poverty."

Those declarations and admonitions were made 60 or 70 years ago and, if you listen carefully, wherever forestry is discussed you will still hear the rhetoric and the anguish expressed today. As in the past, technocrats and their programme of scientific management always seem to involve massive field staffs of highly trained foresters, fire suppression personnel and technicians, while the policy-makers, the mandarins and the bureaucrats sit in their ivory tower making their decisions in isolation.

Scientific forest management is still seen as an expensive visionary proposition which is considered nothing more than a nuisance by the industry and too costly in times of restraint by the keepers of the public purse.

Taking forest inventories, changing methods of allocating timber and adopting sensible cutting regulations are management techniques that we talk about at gatherings such as this but which still have no place of significance or importance when harvesting or implementation is at hand. It has been said since time immemorial that our forests should serve the greatest good for the greatest number of people. Sustained yield means production of several products and services and the achievement and maintenance in perpetuity of a high-level, annual or regular periodic output of the various renewable resources without impairment to the productivity of the land. That's what it means to me. I hope it means the same to you.

Multiple use is the maintenance of our forest for various resources, including outdoor recreation, timber, watershed, wildlife and fish habitat. I do not need to remind you what happens when clear-cutting takes place over wide areas of boreal forests, particularly on sites where soil is thin and not conducive to artificial regeneration or unresponsive to other silviculture or management techniques.

Many resource managers still see multiple use as acceptable in provincial parks but entirely inappropriate and a nuisance on other Crown lands. Few companies are prepared to make any investment in forest management. They prefer to let the province do it since it takes, in most cases, longer to grow a tree to maturity than the average man lives, so no one man ever considers it profitable.

We can all point to isolated cases of strip or block cutting, which the minister mentioned earlier this afternoon and in his remarks here tonight, but these are the results of a few dedicated foresters within the ministry and then only when the company was paid up to \$40 per acre for loss of production or increased costs. One wonders why clear-cutting should be allowed to any great extent, particularly on fragile or complex sites, since it is the expressed objective to discourage the formation of large, even-aged stands of one species, thus discouraging the buildup of insect and fungus infestations and lessening the need for the use of pesticides and other preventive measures.

A recent publication of the Ontario Forestry Association called Ontario Forests has this to say: "Removal of too many trees resulting in openings which are too large will change the suitability of the ground for regeneration of particular species." And it still continues. The same article mentions the in-

tensive or extensive management of a tree crop, but conveniently neglects to attribute this work to the Crown and paid for through general revenues of the province.

One year ago we were harvesting 5.1 million cunits of wood from over 500,000 acres and treating 175,000 acres, for a deficit in excess of 325,000 acres. It is estimated that 130,000 acres will regenerate naturally, but little comfort can be taken from this when our ministry, in its own Forest Production Policy Options for Ontario, states the following:

To make no investment is to preside over the liquidation of the remaining commercial forests in Ontario. It is estimated that only 130,000 acres of the cutover area will regenerate naturally to a reasonably satisfactory level, although the per-acre volume and species composition may not be as desirable as in the present forests. This area is expected to produce a volume of 1.3 million cunits available for the long-range, annual harvest. The great danger, given the present cutting pattern in the province, is that there may not be sufficient concentrations in any given location to permit the sustenance of a viable industry. It is estimated that 13 million acres of productive sites will be required to produce 1.3 million cunits annually.

It should be obvious to even the uninformed that we cannot afford to leave nature to its own devices on most sites in our boreal forests and on our productive forest lands.

The projected regeneration programme will treat—and these are your latest figures—296,000 acres by the year 1982-83, when we will be harvesting close to 600,000 acres, still leaving a deficit in excess of 300,000 acres annually, to say nothing of the huge backlog of untreated areas that have been neglected over the past 20 or 30 years. To maintain the present actual cut will require the regeneration of at least 376,000 acres per year. If the assumption is made that of this, 130,000 acres will regenerate satisfactorily without any expenditure, treatment will be required on 246,000 acres at a cost of \$15 million. This will produce an annual harvest of 6.2 million cunits from 35 million acres of better productive forest sites—which is far below the expected demand; it's somewhere between 9.1 million cunits and 12 million cunits.

In 1974 it cost us \$8.8 million to regenerate 136,000 acres. It is estimated that the demand for wood fibre by the year 2020 will be in the neighbourhood of 12 million cunits, which would require an expenditure in excess of \$30 million. But in order to meet this tar-



get we must start immediately to rearrange our priorities.

We in the northwest are much more aware of the importance of providing for a healthy and vibrant forest resource, since 70 per cent of our manufacturing employment in the west depends upon the forest industry. A lot has been known about forest management for a long time, but the application of that knowledge has been woefully lacking. I suspect that the managers, particularly within the ministry, are not being allowed to manage. They are not given the necessary resources to gather sufficient information regarding the forest land base. Knowledge of the forest production area, its potential and availability, is woefully inadequate. Knowledge of the yield at present or in the future is hazy and mostly guesswork. Most people in the field are preoccupied with emergencies and false priorities, disregarding all legitimate urgent investigation concerning our land base. There is nothing that people in the field can do about it.

We collectively have a tremendous task on our hands. I suspect, Mr. Minister, that if you want to listen to the people in the field—I think you are genuinely interested and concerned with the future of a resource that is so vital and so badly needed in the northwest. You alluded to it in your remarks this afternoon.

**An hon. member:** He has been saying that for years.

**Mr. Stokes:** There is sufficient evidence to have convinced the foresters in the academic community, the foresters in your own ministry, and a good many of the foresters in the industry. I think under the circumstances, Mr. Minister, you have no alternative but to go back to cabinet and tell it like it is. If you tell it like it is, you will have no trouble getting sufficient funds to do what must be done. The ball is in your park.

**Mr. Bain:** Mr. Chairman, I would like to raise a point of privilege before you proceed to the next speaker. I hesitated to interrupt the very excellent remarks that were being delivered by the last one so I didn't raise it while he was speaking, but would the chairman arrange to have alternative facilities for tomorrow's meeting of the committee so that we can adequately accommodate everyone who would like to observe and participate in the debate? There has been a number of members who haven't been able to—

**Mr. Chairman:** We will try to accommodate you. We will try to get some more chairs.

**Mr. Samis:** At least they can see me.

**Mr. Chairman:** I have been told by the secretary there aren't any other facilities available but we will see if we can't raise enough chairs for the members we have here. I understand that Mr. Haggerty is the critic but he is yielding to Mr. Smith, is that right?

**Mr. Bain:** Does Mr. Bernier wish to respond?

**Mr. Chairman:** He will respond at the conclusion of the remarks of the Liberal critic. That is only fair to the other party.

**Mr. S. Smith:** Thank you very much, Mr. Chairman. I listened with great interest to the remarks by the hon. member for Lake Nipigon and I thought he covered the forestry aspect of the mismanagement in this ministry very well. I congratulate him on his remarks.

I think he would agree with me that over the years members of this party have also taken up the question of reforestation and the inadequacy of the ministry's programme. In fact, going back to 1968, the very first time the member for Rainy River (Mr. Reid) spoke in the estimates on Natural Resources, his speech was on the reforestation problem within this ministry. The member for Nipissing (Mr. R. S. Smith) who is here as well today has spoken over the years on this subject.

I tell you I have a feeling of profound sadness. Over the years, before I got into politics, I must say I shared with a good many people in Ontario the notion that whatever the philosophy of the party in power basically they did have a certain managerial competence. It's really quite a sobering situation to see that the party has basically squandered the heritage of Ontario. In those years when money was so plentiful in Ontario, they went around throwing it at whatever problem happened to be found. They built a lot of institutions; a lot of unnecessary institutions. They had money to spend like water. Now that money is not so plentiful, now that other countries of the world, including the OPEC nations, are demanding their share, we see that the system to really rationalize the way in which money is to be spent in government, the system of priorities, doesn't seem to exist at all.

[10:00]

Most shocking to me is the situation in this ministry that is presently under discussion. It's almost incredible to me as a Canadian to have to face the fact that in the



great province of Ontario, where we have lived so well for so long on the resource industries, we find the resource industries have been so badly mismanaged that they are actually seriously threatened.

I suppose we will be okay for another few years yet, but I seriously have to wonder about my own children and whether they are going to find in Ontario anything like the prosperity, the resource-based prosperity, which we enjoy now. It's an indictment of this government which is beyond mere politics and beyond finding some ringing phrases. It's a very sad day to actually see that the forests, the mining potential and the fisheries are all threatened virtually with extinction—fisheries sooner, the mines next perhaps, and the forests surely by the end of the century.

It's just an incredible situation. The average citizen has no idea whatsoever that this is happening. Like myself, he probably watches television and sees the advertisement which suggests that forestry is just like farming, only the crop time is a little longer, and we are all expected to be somehow persuaded that the trees are cut down, the trees are replanted, very much like your own garden, only with a slightly longer turnover time. I think you have all seen these ads on television. What a bad joke, what a sick joke such ads turn out to be in face of the record which has just been cited so well by the member for Lake Nipigon and which so many foresters and so many people within the ministry itself have been able to point out to those who are interested.

Surely it's not necessary for me or anyone else to point out that the natural resources we have are basically a trust for all our children. They are not ours to squander; they are not ours to sell to the highest bidder and to live high on the hog for a little while. Surely we recognize that there are other responsibilities that we have to generations that will succeed us.

It's just incredible that we can see such a sorry record centred on this particular ministry. And, since I have no reason to believe that the minister himself is anything other than a sincere and dedicated person, I have to assume that he must have a sense of profound shame at the record of this government over the years.

The member for Lake Nipigon pointed out that as the ministry goes, so goes the northern economy. Well, he knows very well, or perhaps alluded to it as well, that so goes the whole economy of this province and, to some extent, of this country.

I too have brought with me some of the facts which have already been outlined and I see no good cause to inflict upon either the minister or other people here a repetition of all the statistics which have already been presented so accurately. I too would like to contrast the attitude of the Scandinavians, who seem to have come to terms with their planet, who seem to be well on the way to coming to terms with the need to preserve their resources and the need to recognize the finite nature of the resources we have—

**Mr. Bain:** Socialist planning; even the Liberals in Sweden are Socialists.

**Mr. Chairman:** Order, please.

**Mr. Reid:** You obviously didn't hear about the last election.

**Mr. Chairman:** Order, please. Continue, Mr. Smith.

**Mr. Lewis:** It's the only place you would be comfortable, Pat.

**Mr. Reid:** I was very comfortable there; I needed a companion.

**Mr. Chairman:** Order, please.

**Mr. S. Smith:** I don't pretend to have the expertise of some of my colleagues in the area of forest management, but I have been shocked at what I have learned about the forestry situation in this province. I have been shown areas in the forests of Ontario where the cutting methods obviously don't make sense.

There are areas that I myself have seen where the companies have chosen to cut closer to the roads and have chosen to cut certain stands of timber because clearly it would be more economical to do so and, in so doing, have allowed other stands of timber to become overly mature. I can understand, like anyone else who takes the time to do so, that such overly mature stands of timber will simply be fire hazards or will certainly be unusable at some point. Then we have the clear-cutting which has been described and which clearly results—and that was not intended as a pun—obviously results in what has been described as hopeless areas which can never regenerate properly.

It seems incredible to me that timber licences can be given out by this ministry for very large areas, even when it is well known the thrift and the good housekeeping which would ordinarily be necessary in smaller areas will simply not be applied in the larger

areas. I find it a very disillusioning thing to learn that in the name of free enterprise, something which I will defend as strongly as anyone in the government party, a public response has been squandered in this way is just as shocking to me.

**Mr. Bain:** Isn't that always the case?

**Mr. S. Smith:** It is not always the case.

**Mr. Bain:** It is so.

**Mr. S. Smith:** The sad thing about you guys is you don't understand it. It's not always the case.

**Mr. Foulds:** So it doesn't happen?

**Mr. Laughren:** It's like the gold-mining industry.

**Mr. Chairman:** Mr. Smith has the floor.

**Mr. Laughren:** It's degrading.

**Mr. S. Smith:** The band council of Treaty No. 9 Indians approached us at our seminar in Thunder Bay, where we spent a good deal of time discussing the forestry problems, and pointed out their feelings about the particular situation. But not only did they point out their concern about the Reed Paper deal, the secrecy and the threat to their own livelihood, their own way of life, but they also pointed out their concern for the forests generally. It is not that they don't want any trees cut. They made very clear to me they would like to see a healthy forest industry and they would like to participate in it, and well they should.

In fact, if there is going to be any cutting taking place, first choice in these jobs that will be created should go to the people of Treaty No. 9. But it's obvious to them and it's obvious to us in this party and obvious to the other opposition members as well, that you simply cannot in fact go ahead and cut trees and areas of that magnitude without the most extensive imaginable safeguards. Frankly, with your particular ministry I seriously have to wonder whether your ministry is competent to apply any safeguards that might actually come up because your attitude has simply not proven to be conducive to giving me that sort of confidence.

We supported the brief presented to you by Treaty No. 9 Indians. We support their concerns and we feel very deeply about their concerns. But we are very sorry to see that your ministry will not be represented at tomorrow evening's forum at the St. Lawrence Centre, when people in southern On-

tario will have some opportunity to hear the various sides in this particular dispute and will have an opportunity to judge for themselves what's going on. I'm very concerned about that. I don't want to repeat the statistics that the member for Lake Nipigon has already pointed out. But could we, just to remind people what we are speaking of, point out just as an example that if you take 1974 figures—and it's worse since then—475,000 acres of forest underwent operations and more than 70 per cent by the clear-cutting technique, and you can recognize that less than 132,000 acres received any reforestation at all by hand-planting crews or aerial management. This was done almost exclusively at the provincial government expense. In that year alone, more than half of all the forest that needed reseeded, 140,000 acres, was left barren. These figures come from Professor Day of the Professional Foresters Association.

I just can't understand how your ministry could have presided so blithely over this dreadful situation in the forestry industry. I am, of course, absolutely flabbergasted that you could entertain handing over such a gigantic swath of land to Reed Paper. I'm not here to malign the Reed Paper company although its record is very poor. I wouldn't understand you handing it over to any individual or group of companies without a thorough public airing of the environmental impact.

**Hon. Mr. Bernier:** Let me interrupt, Mr. Chairman. No one, at this point in time, has handed anything over to the Reed Paper company. Let me make that clear, as clear as I can. There will be two and a half years of public discussion. You and your party and all those who are interested and concerned can appear and express opinions to the Environmental Assessment Board who will make recommendations. There has been nothing handed over to the Reed Paper company. Have we got that clear?

**Mr. Lewis:** Just an agreement?

**Hon. Mr. Bernier:** An understanding.

**Mr. S. Smith:** An understanding?

**Hon. Mr. Bernier:** An understanding, yes.

**Mr. S. Smith:** How you would even contemplate handing over that type of swath, even over the course of a certain amount of time, is absolutely beyond me. As I say, this is not simply to malign the one particular company although its record is pretty bad; it's to speak particularly of the way in which the government has handled the resource.

I was not particularly impressed when the minister told us in the House today that there would be the environmental assessment hearing which he had previously promised some months ago. That particular environmental assessment hearing which will be held in Red Lake is not very reassuring to me. This is in no way to cast any aspersions on either the people who will conduct that hearing or on Red Lake and its citizens.

It is, however, to say that this is a matter of the most fundamental importance to all the people of Ontario. It is to say, therefore, that at a hearing which confines itself to environmental matters the way some of these environmental hearings have gone—I think particularly of the one in Stouffville which dealt with the disposal site there; I think of certain other hearings—I am left with much less than a benign confidence that all the facts will be brought out.

What we need, clearly, and the minister knows this very well, is a type of hearing which will not confine itself and its locale to northwestern Ontario but will visit certain other important areas in Ontario, including certain ones in the south. We need a hearing which will take account of far more than just the environmental impact, important as that is, and will take account of the whole matter of timber licences and how they are handed out.

It will take account of the entire matter of the reforestation problems and the future of the forest industry and will consider, with regard to the so-called Reed Paper deal, the impact in its totality on the native peoples of this province, particularly those directly affected in Grand Council Treaty No. 9. It will consider as well the general economic impact of the decision which the government has either taken or contemplates taking with the particular company.

In my opinion—and I earnestly ask the minister to try to recoup what little respect may still remain for his ministry and for his government—that requires a committee of this Legislature which will examine forestry matters and timber licences with special regard to the particular tract of land in northwestern Ontario presently being discussed with the Reed Paper company; taking into account special regard for the impact on native peoples; the impact on the economy generally as well as the aspects I've already discussed regarding forestry itself.

[10:15]

Nothing less than such a committee of the Legislature would be sufficient to allay the

deep concern that most of us have about the future of this vital resource and the entire conduct of this ministry. The ministry can still redeem itself if it in fact shows confidence in the foresters who have taken the trouble to comment on the ministry's practices, if it will in fact take into account the legitimate and deep grievous concerns of the native peoples and will open itself up to a proper examination by the Legislature and by the public.

You know, it's not only forestry that is so desperately affected and has been squandered so badly. We now find that the whole mining industry is in very severe difficulty. With the exception of the mine that we were all happy to see open in the Pickle Lake area there are no new mines on the horizon in Ontario.

Even worse perhaps in a way is the fact that, with the exception of a certain number of activities—perhaps 20 per cent of what it used to be—carried on by the very large companies, there is no prospecting, there is no surveying going on in this province.

Now it may be, as the minister suggests, that somehow we've reached a certain state of maturity, that there's nothing more to be found. The prospectors don't think so. The prospectors, the surveyors, the explorers, the people with their drilling rigs, they don't think so. They would like a chance to continue looking. They don't like the idea that so many of them now are picking up and leaving the province, leaving the country in many instances. A lot of the mining geologists are now finding employment in Indonesia, in Australia. Canada has been for many years—Ontario has been the centre of this—Canada has been a world centre of mining technology, mining information, and mining skill.

Now, unless we keep up a certain regular growth, a certain—shall we call it critical mass within that industry, carrying on activities at every level, from the prospecting and the surveying and so on, all the way through to the more highly developed technologies, then we're going to risk our entire reputation. There will be no reason in the world for international companies to turn to Ontario as a source of mining expertise, mining technology, mining machinery as they do now. We will lose all that.

And you know, there are a number of problems which I think underlie this. It's not a simple one. I don't blame the government entirely for this one, but there are things the government could be doing.

You take the matter in the province of Quebec where they have done extensive



aerial geophysical surveying. They found that that was a very great stimulus, particularly to the small prospector and surveyor who would then go and chase up even the tiniest anomaly that might have shown up in the geophysical aerial surveys. Areas would be looked at and looked at again as people followed their hunches in the traditional time-honoured manner of prospecting and surveying. It's a great disappointment to me that we haven't done this as extensively in this province. I hope we will undertake it.

The Premier of the province (Mr. Davis) promised, I think it was in April, that a combined industry-ministry study regarding the Ontario Securities Commission regulations would be undertaken right then and there and would report in two months, which I guess would have been June. We haven't seen this study; we haven't seen this report. He said that if action were necessary it would be taken, I think his words were "with dispatch" or something of this kind. We have seen no such action.

Lest anyone misinterpret that we would like to put the public at the mercy of a lot of sharp characters who will be selling moose pastures or their own back lawns and calling them mining claims, that's not what we're suggesting. But it may well be that the new regulations and the way in which the bureaucracy of the OSC has been set loose on the mining industry, particularly those who had formed junior mining companies, it may well be that that's chased out not merely the bad actors but it may have chased out all the genuine people who were carrying on their high-risk but otherwise reasonably legitimate enterprises, and who were, in one way or another, providing employment for the small, independent prospector and explorer.

**Mr. Reid:** Better chance than Wintario.

**Mr. Chairman:** Order, please.

**Mr. S. Smith:** The fact is that the government has recognized the sort of bonanza mentality which enables people to buy Wintario tickets even though an awful lot of money is taken right off the top of each dollar, for instance, compared with horse races. People are still willing to try because of the bonanza idea that they might strike it rich. The same is true, after all, in prospecting. The same is true in people who invest in junior mining endeavours. I see no reason why we shouldn't continue to recognize that that is a legitimate thing for people to invest in if they so please. It strikes me that although we must protect the public from

outright thieves, at the same time we ought to make sure that we're not strangling a whole industry in our effort to protect them.

I would also like to mention to you that in the field of taxation policies, there's an obvious crying need for the province and for the federal government to get together and determine some policy in the field of mining taxation and royalty policy. I do not blame the provincial government in this regard, but I do say that the time has come to demand from the federal government some form of federal-provincial meeting regarding the whole matter of royalties and taxation.

What about fisheries? I was pleased to hear of some of the efforts the ministry is making, but the minister knows, as all of us do, that PCBs, Myrex and mercury and other heavy metals are probably at the point now where they've doomed the Great Lakes fisheries. That, at least, is the opinion of certain of the federal people.

I am very concerned about the future of the fisheries in the lakes. I asked a question of the minister some time ago, when it looked like PCBs were becoming a very important matter, and he assured me that half a dozen smelt, I think, were looked at and everything was fine; I didn't have to worry.

Well, it turns out I had lots to worry about. It turns out that the Great Lakes fisheries are severely threatened today. At the rate at which new industrial chemicals are coming on stream all the time—500 or 600 a year—their disposal methods are very poorly worked out. This government has absolutely nothing in the way of a genuine waste management programme. There's nothing in the way of recycling and treatment of industrial wastes. One way or another, these things, either via the air or through the ground, end up in the water and the fisheries are severely threatened.

Again; we have a government that is simply not looking to the future and, even more than that, hasn't yet realized that the future is here; that the time has already come to deal with what seemed like futuristic concepts of recycling, waste treatment and waste management, protection of the fisheries, handling of radioactive materials and so on. It's here now. We have to deal with these matters. They're at hand today. We've got to come to terms with our planet, and your particular ministry must surely understand that.

Also under the minister's jurisdiction, of course, is the treatment of native peoples in this province; that in itself could occupy us

all evening. The ministry has consistently blocked the efforts of the Health ministry when it has tried to get closure of the English and Wabigoon river systems with regard to fishing. It is your ministry—and this is well known—that has constantly stood in the way of that attempt, which is something that the reserves at Whitedog and Grassy Narrows have been asking for for months and months.

You have totally lost the support and the understanding of the native peoples and any confidence that they might have had in the government of Ontario. When you compare with Manitoba the action that you have been taking, it's puny and pitiful. The Manitoba Northlands Agreement involves \$8.5 million of provincial funds and \$12.8 million of federal funds over 15 years; when you consider that, where their native population is considerably smaller than our own in this province, your efforts of \$213,000, with an additional \$400,000 for a renewable resources agreement, are pathetic and puny and are a good example of why it is that the native peoples have no confidence in you. They shouldn't have any confidence in you.

It's just pathetic to see whole societies of people reduced to having to receive welfare. It's a crying shame, and you've done nothing. From time to time you have expounded on your interest in the people and your hope for their economic development, but your dol-

lars have not followed your pious words. I think your conservation policies in terms of the parklands and so on have been one of the good things about this government over the years, but I was rather surprised when the Treasurer (Mr. McKeough) started to report a little while ago that we've bought too much parkland and that he's decided not to do this any more because people like to stay home and watch television. It turns out that almost all the parkland he was referring to was in Polar Bear Park, but still he misled the population in this regard.

I do wait for your action on Algonquin Park. How many years are we going to have to wait before all the recommendations will be implemented properly?

There's so much more—there's the way you handle gravel pits, the people of Pelee Island, so many things that you've mishandled, but basically you are squandering our precious future and it's got to stop.

**Mr. Chairman:** We decided to meet at 10 o'clock in the morning. Is the committee quite in favour of meeting at 10 and then recessing at 12 until 2 and then meeting from 2 to 6? Is that satisfactory to the committee?

Agreed.

The committee adjourned at 10:30 p.m.

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# Legislature of Ontario Debates

SUPPLY COMMITTEE—2

ESTIMATES, MINISTRY OF  
THE ATTORNEY GENERAL

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

Tuesday, October 26, 1976

Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

## SUPPLY COMMITTEE

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TUESDAY, OCTOBER 26, 1976

The committee met at 8:07 a.m. in committee room No. 2.

### ESTIMATES, MINISTRY OF THE ATTORNEY GENERAL

**Mr. Chairman:** The 16th meeting of the 22nd parliament will come into session. I have a couple of announcements to make. One of them is that this committee will not be sitting tomorrow. The second one is we will sit every subsequent Wednesday, though, as far as I know and can see.

I think the only sensible thing for me to do, since I am the critic of the department, is to vacate the chair and turn it over to the vice-chairman. I had for a long time considered staying here since that might give me some kind of privileged status, some kind of inroad on getting in first, but since I am going to get in first anyhow I thought maybe I would be gracious about the whole damned thing and step down.

**Mr. Singer,** you indicated before we started that you had a point of personal privilege.

**Mr. Singer:** Yes, I do. I wanted to put on record here—perhaps I will have to do it again in the House if you consider it is not appropriate here—I wanted to put on record here a reply to an exchange that I had with the Attorney General this afternoon when he took me to task for talking about accused and custody. I would want to draw your attention, **Mr. Chairman,** to section 542 and section 545 of the Criminal Code and to point out section 542 says—

**Mr. Chairman:** What is your point of personal privilege?

**Mr. Singer:** My point of personal privilege was that I was accused by the responsible minister of being ignorant of the law and I thought that it was most appropriate—

**Mr. Chairman:** That is not a point of personal privilege.

**Hon. Mr. McMurtry:** I am familiar with—

**Mr. Singer:** **Mr. Chairman,** I will talk with you but not with the Attorney General at this point. The Attorney General has proved himself this afternoon to be ignorant of the law and he should listen to what 542 and 545 say. It's up to you, sir. The matter did not arise here but I say—

**Mr. Chairman:** There's a point of order, **Mr. Singer.**

**Mr. Singer:** No, I'm on a point of order, **Mr. Renwick—**

**Mr. Renwick:** This comment would be more appropriate—

**Mr. Singer:** —and, please, I don't want you to interrupt me.

**Mr. Renwick:** —in the House. He was perfectly correct—

**Mr. Singer:** **Mr. Chairman,** I don't want **Mr. Renwick** to interrupt; I am quite prepared to carry on with you, sir. The point arose in the House this afternoon—

**Mr. Chairman:** We will listen to **Mr. Singer** for 3½ seconds more.

**Mr. Singer:** —and whether or not you deem it appropriate, I am prepared to bow to your ruling. I merely say, sir, that the record will reveal that I was accused of certain things which were quite inaccurate, quite improper, and exhibited ignorance on behalf of the senior law officer of the Crown. I would draw your attention, sir, and his, to sections 542 and 545 of the Canadian Criminal Code which talk about accused and talk about them in the manner I was talking about them, not in the manner that the learned Attorney General was talking about them; talk about—

**Hon. Mr. McMurtry:** You used the word—

**Mr. Chairman:** Please, let's have no exchange as the chairman is about to rule that this is completely irrelevant and a proper matter for the House.

**Mr. Singer:** Thank you, sir. As long as you have noted that, I will raise that at the first opportunity on Thursday afternoon. I will convey my feeling of concern about the fact that the senior law officer of the Crown was so ill-informed as not to have advised himself—

**Mr. Chairman:** You have made your point, Mr. Singer. Thank you very much.

Will Mr. Breough take the chair please?

**Mr. Vice-Chairman:** You have a non-lawyer in the chair, gentlemen. Watch it.

I take it the minister would like to make some opening remarks.

**Hon. Mr. McMurtry:** Mr. Chairman, colleagues; very briefly, Mr. Chairman, needless to say this has been a very interesting, stimulating year for me in the ministry. I am very grateful for the assistance and the advice that I have received from my colleagues in the Legislature, particularly those on the opposite side of the Legislature. I am confident that they will have some more advice to offer me tonight.

I believe that all the members of the committee have the bound notes or as it is described, notes on estimates for the fiscal year 1976-77, which I trust will be of some assistance as we pursue these matters. I should state that I have I think a rather significant proposal for court administration which I had hoped to table this afternoon in the form of a white paper. There were matters which made it impossible for me to table it this afternoon but I will be tabling on Thursday afternoon a fairly major proposal on court administration with draft legislation attached which I hope will be of some interest. I hope that the members of the committee will have an opportunity of perusing it as we get into matters that are relevant to court administration, particularly with respect to the very important topic of case flow management. I just indicate that that is forthcoming and I know will at least be of interest.

Mr. Chairman, as I indicated a moment or two ago, I really am awaiting with interest the what I know will be very constructive statements from the members representing the official opposition and the Liberal Party in the Legislature. I would like to proceed to hear their statements at this time on the understanding that I may wish to reply to some of their remarks, but I think it might be appropriate if we were simply to get on with the business of the estimates.

**Mr. Vice-Chairman:** All right. Mr. Lawlor, would you like to lead off?

**Mr. Lawlor:** I always find, having done this set of estimates off and on for over 10 years, that to begin is the worst. The Frenchman said: "Le premier pas est le plus important"—the first step you take is the most important one. Once you have launched into the estimates, things go swimmingly—maybe.

Until a few years ago, the law was accepted as a fixed memorial block handed down by some immemorial law giver, Hammurabi, or Edward III, and written into tablets of stone. The fact that it is a continually changing and even volatile substance is very recent. The theory persists in more conservative schools in the idea of found law—that is, that the law is already there, either enunciated or in some invisible form, and all you have to do is dig down and discover it. The new concept is that it is being made all the time and it is being made by human beings.

This realization has to some degree rendered law more human and in part it means it's destroyed its sacred character. It's a man-made thing and men can unmake it. It is an intrinsically value-laden subject. It is the preserver in both a good and a bad sense of a society, one of the deepest expressions of the present state of that society, whether of health or decadence, and it's an index to both, in its aspirations and in its blindneses, in its prejudices and in its stupidities.

[15:15]

For 400 years since Hobbes, and particularly during the last 50 years since John Austin, who remains the unconscious arbiter of common law lawyers, an opposite intent and assessment has ruled English law, namely that it was a quasi-science, objective, abstract, impersonal and neutral with respect to values, particularly ethical ones, autonomous, with its own methodologies and logic, and positivist. In short, it bred a legalistic morality. It evaluates process over result, competence over conscience, and form over substance. Thank God this regimen of law is beginning to change.

For all its posturings as and to a pseudo-scientific physicist model, English law paradoxically is also relatively unsystematic, proceeding by isolated or single cases on an empirical base, institutionalizing aggression through an adversary system and hence significantly individualistic. Law is, if anything, the profoundly social institution. And yet, for centuries, probably always, English com-

mon law has stressed not the social, but the individual. In other words, it works in two directions at once: to the social only through the individual; and to the individual largely through a hostile, alienating view of society. Still, in reality, the individual as such is not an isolated atomic unit, but a member of a larger community and is constituted by his or her relations to that community.

As Mr. Justice Hart says in the most recent issue of the Law Reform Commission of Canada, which is truly a delightful publication:

Besides, mankind is not a tribe of animals to which we owe compassion. It is, in Chesterton's words: A club to which we all owe our subscription. All of us, as the present time shows all too clearly, depend upon one another. Coping with this interdependence, by respecting one another's needs and catering to them, is the way we pay our subscription to the club of mankind. And that is what morality is all about.

The approach to human nature as a beast of prey to be kept down, as Spengler says, or as a bundle of Eros and Thanatos, sex drives and aggression, violence, hatred, the death wish, as Freud argues, has bred a punitive, coercive, vindictive, restrictive, repressive view of the law, wherein the prime sign is a privatizing justice and lies in the notion of order. Order, not harmony, seems almost the only objective of our law. A mechanistic jurisprudence, the concept of law as a necessarily evil instrument, hamstringing human liberty to gain a little peace, typifies a whole stratum of legal thinking. The sense of our own powerlessness to avoid or prevent disaster lies behind much of our violence. To abolish violence, we must abolish fear. We are a violent society with a competitive ethos, where the bitch goddess Success rules every sphere of life, where mass and size and the passionless mechanisms of everyday life grind people small. The whole so-called apparatus of justice directs itself to one end—to try to keep some balance, to stem the tide. The principal work of the law—that is, to enfranchise, to act as an instrument to free people, to heal wounds and not inflict them, to lift the burden, not to add another one—gets only secondary standing and often short shrift.

To positively affirm division or separation and breed antagonism, and to compound this by ever-turning the screw a little tighter, means that the society is lost and is strangling itself with law and with repressions.

It is banal to say there is lots wrong with the law. In these estimates we will touch on a thousand instances, but in this opening statement I am concerned with a large approach and a broad perspective. I would have the chief officer of the Crown and his competent staff look at the October edition of Harper's, at an article called "A Plague of Lawyers," where the writer compares the contemporary hierarchy of the American legal profession to the priest-ridden corruptions of the mediaeval church. He says:

Five hundred years from now, when historians sift through the twentieth century artifacts, they doubtless will be as uncomprehending of our legal piety as we are of mediaeval religious piety. In fact, there is more than a slight resemblance between the pre-Reformation mediaeval church and the contemporary American bench and bar. Law is our national religion, lawyers constitute our priesthood. Legal ritual now, like religious ritual in the fifteenth century, provides coherence and form within a disorderly, chaotic universe. A trial, with its controlled forms of address, cross-examination and procedural orderliness, offers a comforting framework to dispel feelings of helplessness and fears of randomness. The bar, like the church, relies on mysterious language and procedures to instill reverence and to remove itself from the people. As Latin was the language of the Mass, so it remains embedded in the language of the law, serving as a reminder to the uninitiated that what may be gibberish to them is *res ipsa loquitur* to me. The black robes of bishop and judge clothe mere mortals with the power of the Lord or the law. The courtroom is our cathedral, where contemporary passion plays are enacted. In both buildings, silence, awe and deference—if not subservience—placate the authorities. Solemnity is most characteristic of the Supreme Court, where government lawyers traditionally appeared in cutaways and striped pants to present their arguments. Because priests and lawyers constitute classes of certified experts who monopolize access to pivotal social institutions, they are both respected and mistrusted. As the priest media between God and man for the salvation of souls, so the lawyer manipulates a different form of life after death (through trusts and wills). The lawyer may even have an edge, purgatory constituting a slightly better fate than dying intestate. Purgatory, after all, is for the sinner alone, but the omission of a



will doom generations of descendants. [It's quite good, so I'll read quite a bit.]

If history repeats itself, as it occasionally does, there may be an instructive parable for our own time in the mediaeval experience. As the church grew in size and complexity, redoubling its acquisitive energies as it lost sight of its pietistic purpose, it became crippled by inertia, and riddled with corruption. Priests capitalized upon the monopoly of salvation to sell forgivenesses. They charged fees, or indulgences, for burials, probate of wills and the administration of the sacraments. Obviously, the larger a believer's purse, the more direct his journey to heaven. The situation bears an uncanny resemblance to the cartoon in which an attorney reassures his anxious client about the substantial merits of his case, and inquires: "How much justice can you afford?"

Just a page or so over, it reiterates what I said in the earlier part, which I had written before I read it:

It rests on the proposition that the social good has no content beyond the assertion of individual rights, funneled laboriously through labyrinthine channels of procedure which only lawyers can navigate. In this curious vacuum society exists without groups; thoughts are independent of theory; events occur without pattern. The legal mind must be trained to comprehend no more than the individual client and the concrete case. That mind, a teacher once explained, can think of something that is inextricably connected to something else without thinking about what it is connected to. In medical school, this operation is called a lobotomy; in law school, recovery is rewarded with a JD degree.

In addition to all this, many ministers of justice tend, by training and mistaken belief, to be on the negative, fearful, oppressive side of the administration of law. We are not yet clear where our present Attorney General sides, but the need is to understand what has happened in the past and what is happening now and why—not to give way to the atavistic, childish impulse to blame.

Now, to give way to the childish impulse to blame, I wish to rehearse some of the sins, not of the Attorney General in any personal way, but sins of issues and of objective states, which either he has not addressed himself to or he has addressed himself to inadroitly. There are at least three things. The first, I'm afraid, is a little personal, but I think it should be said. I mean, you came into this

House and you enjoy a splendour of decor, you're the darling of the press; because they have hardly anything else to talk about; they looked around the government benches trying to find some ray of hope and some spark of the kindling fire that just might be alive, and they found McMurtry. That was great, because—

**Mr. Kennedy:** There was nowhere else to look.

**Mr. Singer:** Bombast replaces reason; that's fine.

**Mr. Lawlor:** I tell you, the man would be way ahead if he only had a cow-lick. But even as things stand he does well, and many of us are frankly envious. The generative cause of these remarks is pure, unadulterated envy. Having done so little and to have gleaned so much; to have postured in public, with wonderful statements and whatnot and to have produced so little, as far as I am concerned, is some kind of censure on the times.

We've heard a great deal, and you couldn't have been more wrong. You chose three great subjects in the modern world—liquor, sex and violence. You chose all three, and they are all dead ringers for a mucker, let me tell you. You came out with some thing about suspending the right to drive of individuals suspected, but without adequate proof, of being on the highway and drinking at the same time. That was readily and swiftly abandoned by the Premier of the province (Mr. Davis); he didn't repudiate it in so many words, but he certainly pooh-poohed it and put it down. We haven't heard very much of that since; that has disappeared.

We also had the private group consultancy that you were running on the sly with respect to pornography. Then came the great theme of hockey violence. I don't fault you much on hockey violence. Your brother did a good report on the thing; the last paragraph of that report is pure poetry. Therefore, you were clued in, in this particular regard, before arriving here. It is a matter of very considerable moment. But, with respect, over and against your major duties to the legislation that sits crying to be enacted, to be born, it can't be of the same level of significance.

[8:30]

I would put it this way, that Arthur Wishart passed more legislation in one week than you've passed in one year. You may say, "Oh, I'm beginning to pull up my socks. I'm beginning to move now." I always find it a

most curious thing that just before estimates start, there is a certain resurgence of vitality in various government ministries. We were hit with it with a vengeance today in the opening statement of the Attorney General, which indicates the central theme of these estimates will be court administration and what in the world is being done about the reports as they stand, apart from setting up pilot projects. I'm beginning to get tired of that phrase—we've got pilot projects for anything. It's a question of fortitude and of having the leadership qualities to bring certain things, for instance family court, into full operation.

The Law Reform Commission of Canada, the Law Reform Commission of Ontario, the Law Reform Commissions of practically every province, the Attorneys General of practically every province, Mr. Lang in his day and, I'm sure, the present Minister of Justice for Canada all agree—it's the most sensible, logical and the only solution—you have to set up a three-year pilot project in Hamilton. The obstacles in all previous years were constitutional and one well understood those, but those obstacles are being obviated and are no longer.

Why would you want to start off in a jiggery-pokery way? It kind of typifies the way in which the activity is being done; you crawl forward by side motions all over the place.

There are all kinds of things that have not been enacted and are sitting silent in the Law Reform Commission of Canada. There are all kinds of difficulties; something has to be done about everything from mechanics' lien to the justice of the peace. I'm going to leave it up to my colleagues—particularly my dearly beloved friend, Mr. Singer—animadversions, fulminations or whatever they may be called, about your handling of the Supreme Court of Canada matters. My temper tonight is so fair-minded and besides that—

**Mr. Singer:** With or without Renwick's opinion about the minority judge.

**Hon. Mr. McMurtry:** With the assistance of Mr. Renwick's opinion, it will be a seven-to-two verdict in my favour.

**Mr. Singer:** Yes, there was only one judge, Mr. Justice Beetz.

**Mr. Lawlor:** Listen, you do make speeches around the province. Sometimes they're published in that wonderful little book the Crown attorneys circulate—a newsletter and so on—but we don't receive them. You recently gave us one; there's a Windsor speech.

There's a concerted policy on the part of Cabinet that all of the senior members of Cabinet get out there and start talking, we all realize that and so there's been a spurt of late. I would personally ask if whoever on your staff handles these matters could let me have your speeches. They're not bad speeches, you're always cadging from someone else. I would, if I were you, take a look at the Law Reform Commission; all kinds of jokes in there which I'm going to read later on in these estimates, but that's just for comic relief. There's sometimes a little wisdom in them, too.

The business of the restructuring of the courts, the merger issue, I don't think this is the proper time to get into it. I just want to say that it's on our plate; we'll have to discuss it very shortly. The second matter is the disgraceful backlogging that has occurred in the courts. It's been there for quite a while; you knew about it but the thing has become monumental now and the thrashing around in the underbrush that's being done with respect to straightening it out is going to deserve very considerable comment in the course of these estimates and will have to be dealt with.

I'm not going to talk about the family law either, because we're going to have a full-scale debate in the House on that in weeks and, as far as I can see, in this or another committee, working the thing out.

Those are the basic background and thoughts that I have on this opening occasion of these estimates. Thank you very much, Mr. Chairman.

**Mr. Vice-Chairman:** Thank you, Mr. Lawlor. Do you want to respond in any way to that?

**Hon. Mr. McMurtry:** No, I don't feel particularly motivated to respond at the moment, Mr. Chairman, thank you. It may be that Mr. Roy will provoke me to the extent that I feel some response is absolutely necessary, but at the moment I think that most of the matters—I would just make this one statement: As to what I have done and what I have said and what has been accomplished in the public domain, I think the public will be the best judge of what has been accomplished at the appropriate time.

**Mr. Lawlor:** No, your peers are the best judge.

**Hon. Mr. McMurtry:** —I will be delighted to accept the judgements of the voters at the appropriate date. That will be the judgement,

as I say, to be quite frank, that will be most meaningful to me, Mr. Chairman, but—

**Mr. Lawlor:** You're going to make it res ipsa loquitur somehow.

**Hon. Mr. McMurtry:** —in view of the fact that I am sure some of the matters that Mr. Lawlor has raised will come up again during the estimates, I don't think there is anything more that I can usefully add at this time. As I say, I am waiting with bated breath for the justice critic for the Liberal Party.

**Mr. Vice-Chairman:** Okay, unbate your breath. Mr. Roy.

**Mr. Roy:** Thank you, Mr. Chairman. I don't want to cover some of the ground covered by my colleague, Mr. Lawlor; he has expressed certainly a concern to all of us. Whether this concern is based, as politicians, on a certain amount of jealousy considering all the ink you have been getting, the red ink in the Toronto Star, I don't really know, but I thought your response to him you see, Mr. Attorney General, was typical of what we consider to be the problem. You responded like a politician and not like an attorney general.

There is no problem about getting re-elected. First of all you are in a safe riding, and secondly—

**Hon. Mr. McMurtry:** I hope so.

**Mr. Roy:** —and I think you know that helps, but the fact does remain—

**Hon. Mr. McMurtry:** They told me I was in a safe riding before.

**Mr. Roy:** Yes, you should try it again. But the fact does remain that considering the riding that you have and the ink that you have been getting, I don't think that there will be any trouble with the voters. But surely that is not the criterion. Again, you are responding, as I said, like a politician and not like an attorney general.

We feel that you have done well. In a short period of a year, you are probably the—well, I would think you are probably as well known as the boss himself, as Bill Davis. You have certainly covered, as my colleague has said, all the goodies, the stuff that is sure to get good press reaction. The minute that you talk sex, violence—what else is there? Sex, violence—

**Mr. Lawlor:** Liquor.

**Mr. Roy:** —liquor, women I suppose, that you are sure to—when it comes from the Attorney General you are sure to get—

Interjections.

**Mr. Vice-Chairman:** You are lucky I'm in the chair, Mr. Roy.

**Mr. Roy:** But in any event, you've done it. And you see, once we analyse it—after the dust and the smoke has cleared, and we analyse really what has happened, apart from the little flurry of activity today, you know there is really not that much.

You presented legislation prior to the House recessing in June dealing with wills and estates, but our concern and at least my concern, and I say this sincerely, you haven't talked about what I consider to be the real problems in the administration of justice. To be fair to you, maybe you have talked about them and through a combination of making too many headlines and other things and the press not giving sufficient headlines to un-sexy things like court backlog and long delays in the courts, and accused waiting 10, 15 months in local detention centres for their trials, maybe that is not the stuff that front pages are made of.

Basically it seems to me that your problem has been, and your problems with the Premier and I suppose with your colleague or your adversary, the Treasurer (Mr. McKeough), in getting more money for the administration of justice, is that somehow you must get the public on your side to get more money to solve these problems—more money for courtroom facilities, for judges, for Crown attorneys. When we compare the large increases, for instance, in the police forces let's say since 1970, I think we can gauge that in most areas of the province, most urbanized areas of the province, that the number of cases has increased—what?—20 per cent per year I think has been a gauge that has been used across the province. Yet in many instances, and certainly in Ottawa and other areas of the province, the number of judges has, if anything, not increased, it has in fact decreased. The courtroom facilities have probably stayed static over the last, maybe 25 years, and so you don't have the facilities. But you have the way to get it—or the way to get public reaction, to get public support, and then get the government to react and to have more weight within the cabinet, I suppose—and that is to talk about it.

We felt, at least I feel, that it's not been talked about enough and that the problems



in the courts still exist, both on the civil and the criminal side. On the civil side, especially, I think that you are going to be fortunate, again, over a period. You are fortunate, for instance, to have a chief justice like Chief Justice Estey in the High Court—probably going to be named the Chief Justice of the province, I would imagine—because he has a way of really dealing with the issues. He has expressed interest, as is evident in the short period of time that he has been Chief Justice of the High Court, that he wants to clear up that backlog, at least on the civil side; and steps have been taken there. I've seen it across the province, where judges really have made a concerted effort, both in the county and the Supreme Court, to clear up the backlog of cases.

But you know, there was no excuse for all these years where, in a civil case, you were waiting two, three, four or five years before your case came to trial. Divorce was the same thing. There was a tremendous backlog of divorces. I understand that a lot of that has been cleared up; but I think a lot of that is due to the initiative, as I said, of the present Chief Justice.

On the criminal side; there is hope there as well, but I still feel there is a major problem on the criminal side. The best evidence of the problem is the difficulties that we are experiencing in our local detention centres. I have talked to you before about the problems in Ottawa-Carleton, you know, where you have a relatively modern detention centre. Over a period of 18 months what did you have? You had three escapes? Well in 18 months I think you've had 17 people escape from that place. You've had hostage dramas, you've had a murder, you've had a suicide, you've had riots; all sorts of incidents. You've had at the Lakehead what: two hostage dramas now at the Lakehead? And they claim, at least the inmates claim, that—and it's understood and I think there is agreement on this—that part of it is the pressure that builds up in those institutions; the frustration of the accused who are waiting for their trial. So I think there can be very little doubt that on the criminal side the pressure is there, the delays are there. The suggestion of the law reform commission that trials proceed in the criminal courts within a period of 90 days is just not happening. It's really utopia in Ontario..

I'm glad to see, for instance—and I would give you some marks for this—that you've encouraged the experiment in Ottawa. I was sorry to see, though, that we only made it

an experiment in Ottawa and not, let's say, in Toronto; because we had sufficient experience, say from Montreal, that what we call pro forma disclosure had, in fact, worked. We had evidence, for instance when they tried it out in Montreal, that over a period of time they saved, what, some—the project was tried in Montreal last year and eliminated the need for 30,000 witnesses. Imagine the cost of something like that, eliminating 30,000 witnesses; when a substantial percentage of these witnesses are, in fact, police officers. What was it I read the other day in Toronto; that it costs, in overtime is it, just in Toronto, \$5 million a year for police officers who are being paid overtime to attend courts. I mean these are all things that would help in the speed-up of trials.

It is working in Ottawa. There is no doubt about it. I participated in the system myself. In the early eight weeks that we've used it, the last report we had is that we saved some 759 witnesses, a good part of whom were police officers..

If your police officers are not hanging around the court being paid overtime they could be out doing something else. I think that not only does help save time and money and court space and judge's time, and all the other officials time, but it does help; and I think it has a salutary effect on the community at large, you don't have witnesses waiting for hours to be heard on trial.

The point I come back to; that appears to be one way of taking the pressure off the long delays in a trial. I think that is an experiment that we have sufficient evidence on that should be used, especially here in Toronto. Because you know I've got a feeling, and I see it happening in Ottawa, that as the volume increases—you know, you really wonder whether in fact justice takes place in many of those criminal courts, where you have criminal courts and they slap 15 cases, whether it is just impaired cases—if we really believe in a system of justice, whether it be for impaired cases or shoplifting cases, and we slap 15 cases into a court, that's really not justice. What happens is that the Crown is forced into the position, if he's going to dispose of these cases, of starting bargaining and lawyers are encouraged, of course, to do it as well if they don't want to spend all day, which they don't have, on a shoplifting case or an impaired case.

[8:45]

The process of bargaining takes place. Really, it's a subtle pressure to plead guilty or, if there's any weakness at all in the Crown, the Crown's case is withdrawn. But there's not a full trial.

Very often, if a lawyer in those courts feels that his client is entitled to due process and a full trial and he starts taking up too much time, the judges start looking sideways, thinking that he's taking up too much time. His colleagues start bitching, saying, "What the hell are you doing, taking all the time? We've got to process all these cases in this two-hour period."

I really wonder about the type of justice that emanates from that type of court. I know that the pressure is there—you've got the volume of cases, what do you do? Surely, all these individuals involved with the system, whether it be for an impaired case or shoplifting or a minor B and E or possession or whatever, these people, under our code, are entitled to due process. When you put all these people in a court, I really don't think that is justice. There's a subtle approach that we're going to deal with these cases, come hell or high water.

We leave it to the individuals, to the defence counsel, the Crown attorney or the judges, to get rid of that docket of 15 or 20 cases in whatever way possible. I'm told that in Toronto there are even more cases than that.

If you don't, your case is going to be adjourned if you're not heard and if you're working on Legal Aid or a fixed retainer, there's not much encouragement on the part of lawyers to come back two or three times to hear a minor case. I'm really concerned about that because if a fellow is charged with robbery or murder or something, he goes through the whole process. Dates are set and in these major offences you do get a full hearing.

In those minor cases, which involve a hell of a lot more people, that's not the case. Of course, I could go on and talk about all the charges that affect the individual, whether it be The Highway Traffic Act or The Liquor Control Act—the volume of cases we're throwing in those courts is unreal. I appreciate that there's a problem—you've only got so many courts, so many judges and so many Crown attorneys—but I really wonder whether the public feel they really get due process within that system.

As an aside, a colleague in Toronto sent me information—this happened back last June—when he appeared in that famous

courtroom 37 in Toronto. I'm not afraid of naming this fellow; it was Walter Deacon. As a matter of interest he was subbing for another lawyer. He was going to go there and have his trial on certain charges under the Unemployment Insurance Act. I appreciate that the Unemployment Insurance Act is something that is prosecuted by the federal Crown attorney but it's a provincial judge and it's within the provincial administration of justice. There's some link there by which they're given a court.

He went there the first time a date had been set for trial and he wasn't heard. He went back 11 times. Can you imagine? He went back 11 times for four counts under the Unemployment Insurance Act. I don't know what the fine would be under that, probably something like \$25.

I've got the whole docket here. A date is set for trial—imagine the individual in this and whether he feels that he's getting due process in a system like this and the frustration that sets in. I thought it unreal that one would go down—

**Mr. Lawlor:** I hope it wasn't Legal Aid.

**Mr. Roy:** Well, if it was Legal Aid there's probably a set fee for this. For a summary conviction, he'd probably get \$125 minus—

**Hon. Mr. McMurtry:** It wouldn't have been Legal Aid.

**Mr. Roy:** Why wouldn't it be Legal Aid? He could be Legal Aid. Unemployment insurance?—

**Hon. Mr. McMurtry:** I don't think so.

**Mr. Roy:** But whether it was or not, you can imagine a lawyer defending this wouldn't have too high a retainer, and having—

**Hon. Mr. McMurtry:** Get some more efficient federal prosecutors in there.

**Mr. Roy:** Well, yes, but surely the judge sitting in there has some bearing on what's going on. When the fellow says: "Look, your honour, five times a date has been set for trial, maybe I should be heard" or "maybe we should sit past 5 o'clock or so to get my case heard," I think—

**Hon. Mr. McMurtry:** Surely you don't think that—I don't wish to interrupt you. I'm sorry, I was a little rude. But surely you don't think we have any control over the judges as to how they deal with the cases, do you? And as to whether they sit to 4:30 or 5 o'clock or whether they remand the case?

**Mr. Roy:** Don't you? Well, these provincial judges are appointed by you, are they not?

**Hon. Mr. McMurtry:** Yes.

**Mr. Roy:** And they're paid by you?

**Hon. Mr. McMurtry:** Yes, and you are sitting beside a former provincial judge—

**Mr. Roy:** Yes.

**Hon. Mr. McMurtry:** —your colleague, who will advise you that our provincial judiciary are totally independent of the Ministry of the Attorney General and that's the way it should be.

**Mr. Roy:** Well, surely that independence is there in theory but the provincial judges are not that independent in the sense that directives are not sometimes sent or at least there are Crown attorneys saying you're going to ask for more sentence or "Deal more harshly with this. We're getting a rash of"—

**Hon. Mr. McMurtry:** No, no. It would be quite improper for us to attempt to direct any provincial judge as to how he or she handles or disposes of a particular case.

**Mr. Roy:** I would not consider it improper to say, "Well, some days you might not be able to go home at 3:30 or 4 and hear all the cases on the docket." I appreciate that there's—

**Hon. Mr. McMurtry:** Can you imagine the Attorney General telling Judge Campbell that she has to stay until 5 o'clock?

**Mr. Norton:** It's only in Ottawa that cabinet ministers try to give instructions to judges.

**Mrs. Campbell:** The only thing the Attorney General can do is demand that we sign in to say we were there.

Interjections.

**Mr. Roy:** Don't think I'm naive enough to think that if you felt that the judges, for instance, weren't handling enough cases because they were leaving too early or that they were not, let's say, making good use of their time, that you would not be entitled to talk to the chief judge and say: "Look, I think that we're not working the system right and that we should be doing this or that."

I'm not saying that you phone up judge such-and-such and say: "I understand that you're leaving at 2:30. Why don't you sit till 4?" I appreciate that you can't do that, but surely these judges who are there to

serve the community have some responsibility and you, as Attorney General, if there's a breakdown, whether it's a fault of the judges or otherwise, are able to give some directive in this area.

I just pointed this case out as certainly an area where there's got to be something wrong.

If I may go on, Mr. Chairman, I'll just point out some other areas of concern here. I recall another occasion when there was an awful lot of press—and I wanted to ask you about it.

Do you recall there was some evidence that the courthouse, was it, in Sault Ste. Marie, had been wiretapped and that evidence from the tapping had been used? You will recall, there was a lawyer in Sault Ste. Marie who was subsequently convicted, I think it was, on a drug charge.

I recall at that time, I think you made some comment that—at least the headline said "McMurtry Wants Confirmation from the RCMP that Wiretap Records on Lawyers Be Destroyed." I thought it interesting that you would make that comment. For instance, you were going after the RCMP, which is a federal police force, and expressing some concern about the tapes there were.

At the same time, we had a case proceeding in Ottawa where the police station in Vanier had been tapped, I think for a period of two or three months, and a hell of a lot of tapes were garnered in that tap by the OPP; I'm told as many as 2,000 tapes. I never heard the Attorney General of this province make any comment about destroying some of these tapes. You can imagine who phones in at the police station. There are all sorts of citizens, lawyers and everybody else, their conversations are being tapped. I would think that it would be of as much concern to the Attorney General to see a courthouse being tapped as in the case of a police station, where all sorts of people are phoning in or phoning out.

I would have liked to have seen the Attorney General express some concern about what the police are tapping these days. As a matter of interest, I have looked at the various reports by the Attorney General of Canada and the Attorneys General of the various provinces as to how wiretapping is working, and I would think one has to be concerned that 99.9 per cent of the applications are granted. That leads me to two conclusions: Either the police are doing a hell of a good job in presenting their applications and have meritorious cases on each and every of these occasions, or, secondly, the



judges who are responding to the applications are not giving close enough perusal to the application itself. As one who likes to work on the basis of the law of averages, it just seems to be a bit much if you look at all these reports—unfortunately, I don't have them here but I can bring them up at another time—that in province after province, including Ontario, 499 applications are made and 499 applications are granted. Especially when you get into wiretapping of public phones, it's a pretty dangerous thing in our society to allow the police that sort of power or that sort of discretion. The only safeguard, because of the complications of the law, exists in the form of the judges who are granting these applications.

I'd like to express this concern: I just wonder whether you, as Attorney General, when you see all these applications—as I remember, you presented a report last year; I don't remember exactly the number of applications that were made, but I don't recall any being refused here in Ontario. Were there any? One? One out of how many?

**Hon. Mr. McMurtry:** Between 200 and 300, I think.

**Mr. Roy:** I simply get a bit concerned about this. Having worked with the Crown and having seen how the police operate—they're good, there's no doubt that we can be proud of our law enforcement authorities; but the fact remains that I wouldn't give them that high a mark, especially when you get involved in tapping public phones. I wanted to express that concern.

I thought it was interesting that you raised the subject of the courthouse in Sault Ste. Marie, and with reason; we should be careful when we're doing taps, especially of conversations which in normal circumstances would be privileged; for instance, between a lawyer and his client. But when you start tapping places like police stations we have reason to be concerned as well.

In addition to raising some of these general problems, I was going to raise another issue with which the Attorney General is familiar, but possibly I can raise it another time during the course of these estimates. I refer to the whole handling of the vice ring case in Ottawa. You've undoubtedly heard about what they call the sex ring case, where there was a so-called sex ring involving young boys and a whole series of individuals were charged. I want to go into this at some other time.

Mr. Chairman, I point these things out to say basically that there has been some improvement, at least during the last while. I can tell the Attorney General that for a while the nickname they'd given you—what was it, McHeadline or something?

**Hon. Mr. McMurtry:** Somebody told me about that one.

**Mr. Roy:** To some degree it was well deserved, because you had been successful—and I'll give you full marks for it—in your own sort of nonchalant way, in making headlines. But we had seen very little of substance. I see a ray of hope, however; possibly I'm being less cynical than my colleague Lawlor when he says, "Well, it's just before estimates so you're going to present something with more substance." I hope that we'll see things with more substance.

[9:00]

For instance, you mentioned that you were going to name more provincial court judges, more Crown attorneys. I know you have started. I'd like to discuss with you during the course of these estimates how many more we've had and what other steps we're taking to clear up the backlog of these cases.

I won't raise it with you again but, as my colleague has said, you have made an awful lot of headlines yet when it came down to performance—for instance, the result of the hockey violence case was not something that was encouraging. It was a jury trial and he was acquitted but you got an awful lot of press out of that one. You got an awful lot of press, of course, out of your efforts in the Supreme Court of Canada as well.

I wanted to discuss with you as well whether it was such a good idea, considering the type of case it was and considering the prior legal advice we were able to give you about the merits of your position—including my colleague Bullbrook, sitting here, and Renwick who talked about whether it was such a good idea that the high office of the Attorney General should be there arguing the case and ending up with such results. I won't mention the numbers again; I've discussed it with you.

**Hon. Mr. McMurtry:** I'll mention them in a minute.

**Mr. Roy:** These are all things that involve a different style. I think, as my colleague Lawlor has mentioned, in the good old days of Wishart there were no headlines like this but, boy, there was a lot of substantial legislation.

I have sort of mixed feelings about it because after Mr. Wishart, I sat through a whole series of Attorneys General who were very different from you. They were not that impressive, frankly. They were very fine gentlemen. Allan Lawrence didn't set any records here. And we went through Mr. Bales, who hurt his credibility from the start because of the land dealings. I don't want to go into that. He was a fine gentleman, but I think there was something missing. There seemed to be a lack of a grasp of the role of the Attorney General.

I think Bob Welch just stopped in to say "hi" for a while and moved on to something else. John Clement, of course, was not around long enough. He talked about a lot of things as well but he was not nearly as successful as you are. Then Roy McMurtry comes along and the headlines are made and we are watching you with interest and with a certain amount of jealousy, I suppose.

As a politician I don't mind getting the occasional headline as well or a bit of red sometime with the Toronto Star but we have seen very little substance. I think this is the first estimate in which we have dealt with you. We are going to be looking very closely at whether it's substance you're going to be remembered for or simply as a fellow who came in quickly, made a lot of noise and, depending on the outcome of the next election, moved on to better things or went back to law practice. We shall await it with interest.

**Hon. Mr. McMurtry:** Mr. Chairman, if I might be permitted to make a brief response. Of course, I don't expect my colleagues—this is not entirely a non-partisan occasion—to applaud the activities of any cabinet minister but I want to reflect for a moment or two on some of the things that have been said here.

I think it was a few short weeks after I assumed my present very important responsibilities that I indicated to my colleagues, certainly to my legal colleagues in the Legislature, and to as many others as I have had the opportunity, that I've viewed the role of the Attorney General to a large extent as a role that should be carried on as much as possible in a very non-partisan way. Obviously, the matter of justice is something that should not lend itself to partisan politics.

I think all my colleagues in the Legislature know that at all times I've invited criticism or concerns in relation to the justice system. Of course, we live in a large

province with a fairly large population, much of it spread, and at all times I've invited criticism and invited your concerns in order that we might all do what we could to improve the justice system because of its fundamental importance to the citizens of this province.

For example, Mr. Roy spoke a few minutes ago of accused persons in the Ottawa-Carleton Detention Centre waiting for some 10 to 15 months in custody for their trial. I am not going to quarrel with any figures you put forward because I must frankly state I have always felt that you really did have a sincere concern in relation to the quality of the administration of justice, but it would be very helpful to the Attorney General, whoever that person might be, if he or she was to receive a specific case. For example, if you know of a man, John Jones, in the Ottawa-Carleton Centre who has been waiting for 15 months for his trial, what goes? I say to you that that would be very helpful if you, with your knowledge of the system in the Ottawa area, could bring to me cases of that nature, not that there isn't a responsibility on my own part to inquire wherever possible in order that we might determine just what has caused the delays.

As you know, having served as a Crown counsel, there is a wide degree of discretion in relation to the criminal justice system. Most of all the individual judge has sole determination when or when not an individual case is to proceed. In the exercise of his discretion, the judge receives submissions from counsel for the Crown and for the defence but it is totally within the discretion of the trial judge to determine whether or not that matter proceeds. The Crown counsel obviously has considerable discretion and, if it is not exercised wisely and fairly, we want to know about it. As you know, there are many defence counsels who are very busy and sometimes are not as anxious to proceed as expeditiously with their cases as might not only be in the public interest but also in the interest of the individual accused. So I think it should be restated and reminded that part of the criminal justice system—a major part of it—has to do with the nature of discretion that I have discussed.

There is no question but that in Ontario in certain areas that you and I are familiar with we do require additional resources, additional courtrooms. I have never suggested otherwise, but at the same time I would like to state at this particular point that in my travels throughout the province and in the

Ottawa area, for example, when I urged the experiments that you are referring to to get going, where I must state that the facilities and resources are somewhat less than adequate in my view, in Ottawa, Toronto, and elsewhere, I have been distressed by the extent to which the facilities, such as they are, and they are quite adequate in some areas and inadequate in others, are not properly utilized.

I don't intend to go into the reasons why or my views as to why because, as I indicated earlier, this will be the subject of the white paper which will be put in your hands on Thursday shortly after 2 o'clock. We hope that we will have some proposals to provide for a more effective use of these facilities. We can banter for some days about Roy McHeadline throwing up suggestions here and there, and just how the Attorney General is occupying his time; but I can tell you with a great deal of sincerity that my concerns have been very much directed to what I consider a relative crisis in our courts in relation to the extent to which the system is plugged in certain areas and to the extent to which trial delays are becoming a matter of very serious concern. I can assure you—and I don't expect my assurance to be necessarily accepted nor applauded—a considerable degree of our efforts, the efforts of my very fine staff, have been directed to solving this very serious problem.

If I may just talk about criminal justice for a moment, because I know that's of particular concern to you, the experiment you talk about in Ottawa, which is an important one, encouraging greater communication between the Crown staff and the defence counsel with a view not to compromising anybody's rights but with a view to avoiding unnecessary delays, unnecessarily lengthy trials, when the issues can be restricted or confined to what really is at stake as opposed to days of irrelevant evidence, there's no question that's a very important experiment.

I should say, if I might just go back a step, that having practised law in this province for some 18 years and having articulated for two years before that, very much in the court system, it's been an interesting development. It's only in very recent times—we could almost describe it as in recent months, not long beyond that—that the lawyers in the province are really coming to the realization that it's not an exclusive club. I think the justice critic for the New Democratic Party touched on that in a very interesting and provocative article in the current edition of Harper's. It is no longer an exclusive club

for judges and lawyers and medieval pageantry etc.—the courts exist primarily for the public.

I think for the first time lawyers are really beginning to realize that the public has an interest in avoiding cases which are unnecessarily prolonged, either during trial or because of delays before trial. I have a sense that many responsible lawyers are only relatively recently coming to grips with the fact that they have a responsibility to help make the system work better.

I'm not suggesting that this in any way suggests that the Ministry of the Attorney General does not have the prime responsibility in this area. Of course, in order to make this system work it is necessary that responsible counsel in the bar generally throughout the province also recognize their responsibility and co-operate in bringing about needed reforms.

I think this is happening and I think we'll see more and more evidence of that. This business of pre-trial discussions which I think is showing some success in Ottawa is being tried at the level of all three courts in Toronto and has been tried with varying degrees of success for some period of time.

Toronto may not be of particular interest to the justice critic for the Liberal Party, except for his general interest in the justice system which, as I say, is real and sincere. We realize that one of the problems in relation to trial delays is inadequate consultation between the many Crown attorneys we have on the staff in Metropolitan Toronto and the many, almost hundreds of, defence counsel who are part of this system. Part of our concern, part of our programme, is to relieve the congestion in the courts, to avoid trial delays. I think you may recall that some time ago we announced that we were going to decentralize the Crown attorney's offices in Toronto. We now have rented a great deal of space so we'll be able to have largely autonomous Crown attorneys' offices in Etobicoke, North York and Scarborough which will mean much better communication with not only police but defence counsel, which is absolutely essential to move the cases through the courts, quite apart from the administration of the courts which I have already touched on.

[9:15]

We're moving ahead with that and we will have many more courts in operation in Metropolitan Toronto, for example, in the months ahead. I want to stress this at this particular time and I don't doubt but that we are going



to come back to it in the estimates, I would like to come back to it because I like to talk about the things that we have been doing in the ministry. Whether you think that we have necessarily been doing the right thing or as quickly as we might, I think and I hope that you will realize we do have our priorities in reasonably good order, and they are many of the things that you have touched upon. We have many dedicated people in the ministry who have had the privilege of working towards a resolution of these very serious problems. A lot has happened in the past few months and a lot more is going to happen.

I didn't want to make this too far-ranging but I think Mr. Roy touched on some of the important areas, and so I felt that it was appropriate to reflect on these areas for at least a moment. You talked about a sensitive area in relation to interception of communications, taping telephone calls. I could get the exact figure for you very quickly. There were, as I recall, approximately 250 to 300 authorized interceptions. I may be mistaken as I don't have the figure. There was only one turned down. These are all authorized by judges. I just want to make the point because the interception of any private communication is a very sensitive area, and anybody with responsibilities in relation to law enforcement must be concerned with the proper exercise of that discretion and that right.

I would just like to make the submission that the fact that only one was turned down by our judges, who must approve of this, is an indication, in my view at least, of the care that is taken before a request is made for such an authorization. For example, if there were 300 authorized interceptions throughout Ontario in the last year, I can tell you in the year prior to the law which required judicial authorization there were over 700 intercepted communications in Toronto alone. I think it is of interest to know that this has been used cautiously and I think with a fair degree of wisdom. The amount of interception of private communication by police forces, at least in Ontario, under the law which requires the authorization has been reduced dramatically. The great majority of these authorizations are obtained, as I understand it, only with the assistance of a Crown attorney, and a good deal of caution is exercised in that.

I don't want to get into this business of hockey violence. To me, this has been a peripheral matter in relation to the activities of the Attorney General, but I would just like to make the point that—

**Mr. Roy:** Just before you get off tapping, the reason I raised it is that I looked at the federal government, at the RCMP mainly. I think they made some 500 and some applications. None was turned down. Then I went to Newfoundland, Nova Scotia, Saskatchewan and BC. Out of all those applications, none was turned down. Then I looked at Ontario's and I just thought our only safeguard there is the judge who is the one to judge whether that tap goes on or doesn't. I got concerned that he is the only safeguard at that point.

I don't doubt that there is great care but I had the feeling that the police are good and the Crown attorneys do a good job but I was just wondering if they are that good that they would allow all of these applications. Especially when you hear of incidents where they tapped a public phone in a courthouse in Sault Ste. Marie; and they tapped a police station in Ottawa. I wanted to bring it to your attention because it's very powerful legislation. This is a powerful instrument in the hands of the police. I haven't visited the Toronto setup, but I have visited the Montreal setup where I have seen 32 taps working at one time, being reeled off on these machines. It's a powerful weapon and one that must be used cautiously. In a democratic society one has to be careful about that sort of power in the hands of our law enforcement authorities.

That's the only reason I brought it up. I have no evidence that there has been an abuse or that the judges are not giving proper scrutiny to these cases, although I think there have been a few cases, as you know, where the actual authorization has been challenged in the courts subsequently, at the time of presenting the evidence, but I just wanted to bring it to your attention. I am in no way being critical. I am interested, for instance, to hear that even in Toronto prior to the law coming into force there were 700 taps, and following it there were 300—

**Hon. Mr. McMurtry:** In the whole of the province.

**Mr. Roy:** Yes.

**Hon. Mr. McMurtry:** Regarding the Vanier situation, I was not aware of the extent to which there was wiretapping involved in that case. No complaints have been made to me. You are the first one to bring to my attention that there might be a possible abuse, and I know you are not suggesting that there was. There was no evidence of that. But I have to say that this matter is still before the courts, and I don't wish to reflect on that at all. I have no evidence at all that there was

any abuse whatsoever; and I am, of course, familiar with the case.

The Sault Ste. Marie case, of course, was brought to our attention, and we expressed our concern in relation to the fact that it was a courthouse and obviously a number of lawyers would be using the telephone that was tapped, and we all expressed our very legitimate concern. But I should state that in relation to the police exercise of this power, which I think is a necessary power to combat crime, which of course is carried on with very sophisticated techniques, and organized crime, such as when two or three people get together, I suppose you could say it's a form of organized crime, and they have the advantage of many highly sophisticated, technological advantages.

It is necessary for the police to make use of this power. When it comes to a public telephone booth, I think it's well-known that most people who are known criminals resort to public telephones to place their calls to discuss their illicit activity, because they often feel that there is a higher degree of security when you are dealing with a public telephone as opposed to their own private telephone, and for obvious reasons. As I say, the police have no control over what telephone people involved in crime are going to use, and if they have good reason to believe that a public telephone is being used to conduct business in relation to criminal activities it is quite proper for the police to seek and obtain an authorization in that respect.

I am very tempted to ignore your gentle thrusts, Mr. Roy, in relation to the hockey violence, because as I said a moment ago, this has not been a major activity of the ministry. Charges have been laid and charges may be laid in the future, and I make no apologies for it. I make no apologies for the fact that the celebrated prosecution of one, Dan Maloney, ended up in acquittal, because I think the jury's statement in that case made it abundantly clear, in my view, that the prosecution had served a useful purpose, even if there was acquittal. And the acquittal, in all the circumstances, I don't think is all that relevant, because these prosecutions have been commenced simply because people, in the judgement of responsible law enforcement officers, were breaking the law. Whether that occurred in or outside of an arena, I think the chief law officers of the Crown have a responsibility to encourage that prosecution, regardless of where the breach occurs. Certainly, in that particular area, you know my concerns, and you have supported them, are in relation to the thousands of young people

who play this game across the province, who are mightily influenced by what they see on the screen and for whom, in the past several years, the game has been—well, not destroyed, but a number of them have dropped out because of the nature of some of the activity.

I said a year ago, and I'll repeat now, the people who administer organized hockey, whether it's professional or amateur, have the capacity to police themselves and to avoid a situation where it's necessary for law officers to lay charges. Certainly within the past year there has been every indication, right up to the NHL, of a determination, which was not shown before these charges were laid, to do that. I'm hoping, with the support of my colleagues in the Legislature—people who represent areas in and outside Toronto and have a voice to exercise in this area—that the limited activity of the Ministry of the Attorney General in this area, and it has been a very limited activity, will be almost totally unnecessary in the months ahead if people exercise their responsibility. As a result—and we're already seeing some signs of that—a game that is very important to our social fabric will be much more enjoyable for thousands of young people. I don't think for a moment you're really very serious when you criticize the laying of charges in those areas.

**Mr. Roy:** No, I was not being critical of the laying of the charges. What I was saying basically was, it seems to me that if there is an assault on a street in Toronto, the chief law officer, the Attorney General of the province, will not be involved personally. I feel that once you have laid out the policy of what you're going to do—that you're going to treat a hockey rink just like any other place—that if there's an offence committed, then charges should be laid. But you set policy, and that's it; you don't get involved personally in each case that happens in Maple Leaf Gardens.

**Hon. Mr. McMurtry:** I didn't even see any of the games where this occurred. But if you're ever the Attorney General and 50 news people camp outside your door after a hockey game, try not to get involved.

**Mr. Roy:** Well, it wasn't quite that case. I saw you right at the Gardens there on Hockey Night in Canada where you were having a discussion with the referee-in-chief.

**Hon. Mr. McMurtry:** After a number of charges were laid, I accepted an invitation to appear and state basically what our position was—again for which I make no apology.

I'd like to just touch on one other item, because it's—

**Mr. Lawlor:** May I say a word about hockey? My complaint is that there's undue emphasis on it—possibly not through your fault but, as Norm Webster says, you're a fairly shrewd politician; you know where the coins click. You know, too, how difficult is the prosecution of such a case. The defence has been—

**Hon. Mr. McMurtry:** There have been a number of people convicted in the last year.

**Mr. Lawlor:** Well, the notorious cases, the Maki and Maloney cases, and probably the cases you've got at the moment, as well as those in the United States, have been overwhelmingly unsuccessful.

**Hon. Mr. McMurtry:** I don't agree with your expression "overwhelmingly." In the Maloney case and in the four cases that are before the courts, the provincial court judge committed these people for trial. As you know, there must be a strong preponderance of evidence—

**Mr. Lawlor:** No, no.

**Mr. Roy:** The doubt is exercised in favour of the Crown at that point.

**Hon. Mr. McMurtry:** I say, I don't want to dwell on that. Again, I think you may recall the jury in the Maloney case stated they did not condone what had occurred and they expected steps to be taken to avoid a recurrence in the future. That, to me, is some indication of the value of law enforcement—not just outside the arenas of Ontario, but inside.

There's just one other minor item before we proceed, I guess, to the first vote; that is, this celebrated constitutional case. There are two or perhaps more people in this room—several people in this room—who could well become the Attorney General of the Province of Ontario at some time in the future, maybe the very distant future but some time in the future.

[9:30]

**Mr. Conway:** Do you hear that, Larry?

**Hon. Mr. McMurtry:** I would hope that if there were a case similar to the case argued last June, of serious constitutional importance, you would feel that the office of the Attorney General is important enough to require your presence in that courtroom. That certainly was the view of the present Chief Justice of Canada.

For the benefit of my colleagues who have had a little fun, the Attorney General of Ontario argued a constitutional point in the Supreme Court of Canada in June and, as I've already said, was applauded by the Chief Justice for appearing. He said it's something that should be done more often and that Attorneys General for many years had been avoiding what was their traditional responsibility in that respect. Not only did the Attorney General argue, the fact of the matter is that his argument was accepted by the Supreme Court of Canada by a vote of seven to two.

The Attorney General was perhaps wise enough to allow one of his very experienced constitutional experts in the ministry to argue the other question, being a particularly difficult one. As I say, it was wise to make use of his expertise and the result was somewhat different. Be that as it may, it was brilliantly argued by my associate on the constitutional case, Mr. David Mundell, but the court simply did not agree with it, or the Chief Justice didn't. I'm not going to reflect on that.

**Mr. Roy:** You didn't argue that point at all?

**Hon. Mr. McMurtry:** I didn't argue that at all. Maybe I should have but those of you who know Mr. Mundell know of his very high qualifications. If you have respect, as I believe you do, for the office of the Attorney General, if not for the present incumbent, you would see a great deal of wisdom in the Attorney General, in a case of that nature, representing the province in the court as occurred in June. Again, Mr. Roy, I didn't take you very seriously when you said that I should have reconsidered whether or not to participate because I would hope, if you were in my position, you would have at least participated in part of the argument, as would Mr. Lawlor, I would hope. I know Mr. Renwick would. I was wondering how I could get him there to assist me and present Ontario's case.

**Mr. Roy:** That would have been tough, having given an opinion that was contrary to yours. The only reason I mentioned it is that I do have respect for the office; and I may say, candidly, I have respect for you personally. I just feel that the credibility of the Attorney General is such that it's important to keep that credibility. I don't know whether the Attorney General should take such a loser of a case and hurt his credibility.



**Hon. Mr. McMurtry:** It wasn't a loser. We bailed out your federal friends in that case. The lack of gratitude is overwhelming.

Thank you, Mr. Chairman, for allowing me to respond to the extent that I did. I hadn't intended to take up so much time but my colleagues had touched on some interesting areas which I felt compelled to respond to before we turned to the formal votes.

**Mr. Lawlor:** Before we turn to the first vote, one thing I omitted to say and wish to say now is that I want to give some recognition to Mr. W. C. Alcombrack, QC, who has served this government and this province extremely well as senior legislative counsel for many years and who has recently retired. I think that should be mentioned immediately in the course of these estimates.

**Mr. Vice-Chairman:** I take it it's the pleasure of the committee to begin the debate on this particular vote this evening and we'll continue when we resume? In that case we will move to vote 1201, and the first item is entitled Attorney General. Would you care to make some remarks on that?

On vote 1201, Law Officer of the Crown.

**Mr. Lawlor:** I have a few cases. I preliminarily want to—

**Mr. Vice-Chairman:** Excuse me, to help the committee, you'll find it in the little blue book that was given to you by the ministry on page 3. There is a breakdown and there are subsequent pages which provide some backup to that, or you'll find it in your estimates books on J-12.

**Mr. Lawlor:** Incidentally, the staff has not increased in this particular area since last year which is, I suppose, commendable in the light of your restraint programme.

This is a small matter but, perhaps, one with a little pique. I have before me a letter from the Hon. Roy McMurtry dated April 21, 1976, in which he said as follows: "Further to your correspondence of the 30th I have made inquiries" regarding a certain justice of the peace.

My letter to you said that—I'm sorry, it was a notary public—this notary public in Toronto was drawing wills in which he inserted himself as executor and trustee.

In the case in question the only asset was a house held jointly with the man's spouse. Then I go on to make some comments; I said I think it was questionable but proper. If this was a pattern laid down by this notary public in doing that it's a way of earning

fees into the future. It's like the lawyer's little treasury of wills. My information was that he did intrude himself in this particular thing.

Your answer was: "I'm sure that anyone can draw up a will. Mr. Berzins may have appeared as executor and trustee if his client has requested him to do so." But that's not the point, Mr. Attorney. The point of my letter was that it was the other way round. He rather imposed himself than otherwise.

Secondly, perhaps you ought not to write your colleagues that we know that anyone can draw up a will. I would assume that you knew that we knew that kind of thing and that we were not completely obtuse with respect to the more elementary aspects of willmaking. As I saved it up for this occasion and if that practice goes on in the province I think you should find it disreputable and if you get any letters such as mine to you that the matter should be looked into.

**Hon. Mr. McMurtry:** I'm sorry, Mr. Lawlor. If we can pursue this matter, of course, we will. It's back in April and—

**Mr. Lawlor:** Yes, it's April.

**Hon. Mr. McMurtry:** I don't recall the correspondence. You have my letter there and I obviously signed it. Your complaint or your concern was related to the fact that a non-lawyer was drawing up wills and was involving himself in the capacity of an executor.

**Mr. Lawlor:** Inserting himself into the wills of people who rely upon him to draw them. Of course he can draw them, but he ought to be very careful, as most lawyers are about placing themselves as executor or trustee in someone's will—and seeking to prevail upon people that he do enter into this relationship, which gives him a very powerful position once the man is dead.

**Mr. Vice-Chairman:** Obviously you've dealt them a stunning blow, Mr. Lawlor.

**Mr. Lawlor:** As I say, it's a picayune matter. It's nothing as important as ice hockey or pornography down on Yonge Street. We'll come to that though.

**Hon. Mr. McMurtry:** Now Mr. Lawlor, I thought we were going to direct our efforts to—if you'd like to let us know the relevant information I'll review it again and—

**Mr. Lawlor:** Sure, I'll send it back over to your deputy. Here is the stuff now. As you see, I underlined that sentence and took umbrage with it—I mean, what the hell, what do you think's going on?

**Hon. Mr. McMurtry:** And you've been saying that since April?

**Mr. Grossman:** It's got all sorts of notes on the back of it.

**Mr. Lawlor:** Well, we can pass that over. I say that's not a matter of great significance. There's another matter which Mr. Renwick was more concerned with and possibly should deal with himself, but which he was good enough to let me have and which I'll bring to your attention. It has to do with the Law Society and it has to do with The Solicitors Act and The Barristers Act; that is, that there is a requirement of citizenship or British subject status with respect to individuals.

This person I have in front of me is an American citizen. He says early landed immigrant status holders in Canada were required in most cases to take an oath of allegiance, and he goes on through some history here. Then he says that he came to Ontario to work on a certain project, is a lawyer, had a year's course in one of the American places, started back first year, went through the whole process, arrived through bar admission and then was told he couldn't practise law in Ontario. Then he proceeds in a number of pages to document other jurisdictions and their ways of handling it. He mentions that in the United States it was ruled as unconstitutional to require citizenship as a discriminatory measure under the Bill of Rights. In other jurisdictions this is not required, this Canadian citizenship or British subject status and I wonder, that's all, whether you'd take this particular point under advisement as to qualified people wishing to practise law, who are otherwise qualified, being excluded on the basis of the citizenship requirement.

**Hon. Mr. McMurtry:** Yes, we'll certainly take it under advisement. As you know, the Law Society has the legislative responsibility for it.

**Mr. Lawlor:** No, but your responsibility is with the legislation itself, and of course the Law Society should be consulted on the point as to what the membership should be.

The next case I want to mention to you is a case of the Crown versus Hazel Rees. This is a letter written by a Mr. Ted Klich and Barbara Klich in October of this year. The letter actually went to Peter Rickaby and Robert McGee, and I have copies of it. It had to do with a charge of criminal negligence against Hazel Rees which was subsequently reduced to careless driving. Their

son was killed in the incident. It's quite an intelligent letter. It says:

We were advised that this recommendation [that is, to reduce the charge] was based on a pre-trial conference involving Crown attorney McGee, Mr. Justice Hartt and the attorney for the defence. We have no idea as to what was actually said at that conference and we understand that no transcript was taken.

When we asked Mr. McGee about this we were told there "appeared to be insufficient evidence" to carry through with this serious charge. We were told that the defendant "is a regular churchgoer and attends the United Church each Sunday, and is a good person in the community, a school teacher."

We wonder what church attendance and occupation has to do with driving on the wrong side of the road in daylight hours and the resulting death of our son. If this is important information, may we submit that Ted G. Klich, our son, attended church each Sunday and also during the week at his school, De La Salle College, on a voluntary basis, something not always done by young people in his age group.

There were more than the usual number of witnesses, and as well we've been told that the case was well presented and documented by the investigating officer, PC Croxon. Therefore, we question withdrawal of the case on the grounds of insufficient evidence.

In other words, these people are chagrined that this charge in the particular context wasn't given its day in court. I'm going to have to ask you to look into the matter and to give me some advice, possibly before these estimates terminate.

**Hon. Mr. McMurtry:** Yes, we'll see what information is available. As you know, there are many thousands and thousands of cases prosecuted in the province every year.

**Mr. Lawlor:** That's right, I agree with you.

**Hon. Mr. McMurtry:** I just want to make this statement though, my instructions to the Crown attorneys throughout the province in relation to the acceptance of any plea in those circumstances is to state on the record in open court the reasons for proceeding on the lesser charge, and I would hope that that has been done.

[9:45]

In that particular case, it is understandable that the parents—just as you and I, I am sure,

if we were involved and it was a child of ours—would be somewhat distressed by any reduction in the nature of the charge just by reason of the dimension of the tragedy. The only point I make at this time, and we will look into it further, is that in that case you are dealing with Mr. Justice Patrick Hartt, who, as you know, is a very experienced judge in criminal matters and also one of our senior Crown counsel, one of our best Crown counsel, so I think there is every reason to assume that what occurred occurred very properly, but as I say we will look into the matter.

**Mr. Renwick:** Perhaps my colleague would permit me to be a little bit more precise on the factual situation in that case. The death occurred about two years ago. There were two charges laid at that time, one for criminal negligence and one for careless driving.

When the matter came on before provincial court Judge Opper, there was a preliminary inquiry. There had been some indication of discussions between counsel and the assistant Crown attorney at that time, and the assistant Crown attorney at that time did not believe it was warranted to withdraw the more serious charge and proceed on the lesser charge. The matter went before provincial court Judge Opper for a preliminary inquiry and on the basis of the evidence before him he committed the defendant to trial by judge and jury after the appropriate election had been made.

The problem then came up in the course of the pre-trial conference between the assistant Crown attorney, counsel for the defendant and Mr. Justice Hartt. The first point is what my colleague raised, that there is no record of what took place at that conference, which I think should be an essential part of a pre-trial conference of any kind; there should be a verbatim record kept of what takes place. In any event, it was decided at that time that in the higher court they would not proceed on the criminal negligence charge. For whatever reason, the police officers came to see the parents of the deceased boy to explain to them that the trial would not proceed on the criminal negligence charge but would proceed on the careless driving charge.

It was at that point that the parents asked what the reasons were and asked if they could either hear the transcript or understand clearly what had taken place. They were advised that there was no transcript and then the story gets quite garbled as to what did in fact transpire. Their versions, much second hand, differed from what they then subse-

quently learned. They endeavoured to reach Mr. Justice Hartt unsuccessfully and they reached Mr. Justice Estey earlier this month, and shortly afterwards they spoke to Mr. Justice Hartt. Whatever then transpired, the matter is now going forward on the, as I understand it, on the charge of criminal negligence.

**Hon. Mr. McMurtry:** That's the information I have had given to me.

**Mr. Renwick:** May I leave aside, because the matter is before the courts, the question of substance of the merits or otherwise of that case and what was said or what was not said about the particular matter. If in fact that is the pre-trial procedure then it obviously has serious flaws in it. The one flaw must be that there should be a record. Those are matters which are not private. They are for the purpose of expediting fair trial, and not for the purpose of having a different version of plea discussions as to what should or should not take place.

Secondly, if a provincial court judge, on the basis of the evidence in open court on a preliminary inquiry, comes to the conclusion that there is sufficient evidence on the basis of which a jury, properly directed, would convict, then it doesn't seem to me that the pre-trial conference at the High Court level should have any jurisdiction or discretion to decide whether they will or will not proceed. They may very well be, in the pre-trial conference, in a position to decide on agreed matters of fact which will not be disputed in front of the court. They may be able to decide who exactly the witnesses will be that will be called to give evidence about the issues in dispute on a factual matter. But it seemed very strange to me, first of all, that there was no recording. Secondly, it seemed extremely strange to me, where a provincial court judge had committed for trial on a proper election, that that question would ever again be raised at a pre-trial conference.

If my information is correct, I'm now equally upset that in the case of a person who perhaps was then advised by her counsel—the counsel for the defendant—that they were going to proceed on the lesser charge, but in some way they now are going to proceed on a more serious charge. So it works both ways in the situation.

I didn't understand the role of the police officers in coming to speak to the parents of the deceased person. Maybe it was out of courtesy. But, in fact, whatever the grievous loss which the parents suffered, they were not parties to the case of the Crown against the defendant in the strict sense of that term,



because they were not witnesses of the accident, nor had they any other information about it.

**Hon. Mr. McMurtry:** No, but just to interject there, as you know, it's often the practice of police officers, simply as a matter of courtesy, to advise the parents or the close relatives, as the case may be, as to what's transpiring.

**Mr. Renwick:** I recognize that, and the courteous part of it I can well understand. But the impression which I had, in the course of my conversation with the parents involved, was that they were in some way asked to agree or disagree with this. They weren't just being informed. They were asked to have some involvement in the matter.

I think all of us—Mr. Roy, certainly my colleague Mr. Lawlor, certainly Margaret Campbell and certainly Mr. Norton; those of us who have been in the courts on these matters—recognize the advantages of a pre-trial conference as a method of sorting out cases and getting them before the courts. But if the factual situation is correct in that case, as I understand it—and I can give you the specific dates of the particular occurrences that took place—then it does seem to me that there is something seriously wrong in the instructions which are available both to the Crown counsel in the case and to the defence counsel in the case and indeed to the judges with respect to what the area of their responsibility may be in those pre-trial conferences.

Again, I want to leave aside the substance of the case, because it's only because of this situation that I think it requires a very clear indication, at the proper time, in the course of these estimates, to advise us what exactly in the language of the day the guidelines are, what the areas of discretion are, what the purpose of those pre-trial conferences may be. To waver back and forth in a matter as serious as this is not consistent with the conception of justice I would like to see available in the superior courts of criminal jurisdiction.

**Hon. Mr. McMurtry:** I think many of you will be familiar with the instructions that were laid out by my predecessor, the hon. Dalton Bales, back about 1973 in relation to the fact of placing all relevant facts on the record insofar as any plea discussions are concerned. In view of the fact that there is some interest in this whole area, which sometimes can become controversial, within six months ago I reaffirmed Mr. Bales' instruc-

tions and again emphasized the absolute necessity of placing all relevant facts on the record in open court so that the public would have a clear understanding as to why, particularly when there was a lesser plea accepted in a particular case. It sounds certainly like there was some unfortunate confusion, to put it mildly, in that particular case and we can inquire further. I would hope that our Crown counsel appreciate that pre-trial conferences in relation to an orderly progress of a trial and any discussions in relation to pleas really should be kept separate and apart.

**Mr. Renwick:** I should make clear, in order that the record is very clear on it, that the assistant Crown attorney in the provincial court criminal jurisdiction who had the carriage of the case before His Honour, provincial court Judge Opper, obviously acted strictly in accordance with the guidelines which were put down. Discussions apparently did take place, as would be normal, between defence counsel and the Crown as to whether or not they were going to proceed on the more serious charge or whether they would accept a plea on the lesser charge or whether they had sufficient evidence on which to proceed. The Crown, at that point, simply said that they were going to proceed on the more serious charge. Then the preliminary inquiry took place and then the provincial court judge decided there was sufficient evidence to go to the High Court. It was from that point on that the difficulty, the indecision and the apparent inconsistency developed. I think it would be extremely helpful if there are guidelines for the guidance for both counsel and Crown on both sides of the case as to the areas of jurisdiction or discretion of the framework of this pre-trial conference.

**Hon. Mr. McMurtry:** Thank you, Mr. Renwick.

**Mr. Lawlor:** May I just say one further word about this? Mr. Attorney General, you have a letter from these good people as of September 13, 1976, in your files, if you would take a look at it. Incidentally, on the second page it says that this person was driving westbound in an eastbound curb lane, and if you're wondering about mandatory blood tests you'll see all that in the letter. The letter mentions a conversation with a Mr. Johnson of your department. It says: "When I attempted to have some clarification of the points mentioned in this letter, he simply said that 'after you are dead, you are dead'. I would most strongly urge that

this type of comment coming from a member of your office be tempered with a little bit of common sense."

Then there's a further letter, a copy of which went to you on October 5, 1976, which I have, which basically went to Mr. Rickaby and Mr. McGee, but I see there's a copy forwarded to you, to Mr. Renwick, Albert Roy and myself. They are fairly elaborate letters, so we would be pleased to hear from you on this.

[10:00]

**Hon. Mr. McMurtry:** I thought there was a preliminary response in relation to that, at least saying that we were looking into the matter. I have some recollection of that.

**Mr. Callaghan:** We did. As a result the charge was re-laid because it was considered that it was a real miscarriage to have the thing disposed of the way it was at that point in time. I think that in that case, and it often happens, there was a confusion between plea discussions and the pre-trial conferences which are going on. I think I can assure you that there is no question that the pre-trial conference is an entirely different animal from the plea discussion which is subject to the guidelines laid down by Mr. Bales.

The pre-trial conference which takes place now in indictable cases which proceed to the Supreme Court after a preliminary hearing is really a conference solely for the purpose of shortening the evidence. There are forms that are filled out by both sides indicating the nature of the defence, the areas where admissions can be obtained by both sides to dispense with proof, and general particular factual situations, such as theories of the Crown, theories of the defence, which will assist the judge in actually conducting the case and trying to conduct the case more expeditiously.

That procedure is in its infancy. It is just starting now. I think it is rather hard to say exactly what the guidelines are going to be because they are sort of being imposed by the court after discussion with both the defence and Crown counsel.

In this particular case the two procedures got confused and I don't think we have any explanation for this case other than it is a bit of an aberration. We will go into it and we will give you a fuller report on it.

I think I can assure you as a matter of policy that there's quite a distinction between pre-trial conferences and plea discussions. All plea discussions should be on the record and we try to enforce that with all Crowns.

Pre-trial conferences are really for the assistance of the trial judge who is going to try the case and this is the big difference. The way the matter stands now, we expect that we will be having some form of discussion with the people in Ottawa to try to develop basic guidelines or maybe even legislation on pre-trial conferences. We haven't got to that stage yet on criminal matters.

**Mr. Renwick:** Mr. Chairman, perhaps you would let me follow up one matter with the deputy. Surely, there is no question that if a person is committed for trial after a proper election by a provincial court judge and after a preliminary inquiry on a particular charge, that's the end of the matter? That matter must come at some point before a judge and a jury or a judge depending on the election?

**Mr. Callaghan:** That's right, but before it comes on what they are developing now in the Supreme Court and what we hope will be developed for the other two courts where the big problem is—the Supreme Court really isn't much of a problem because it has a small case load in this area; 70 indictable cases here—what they are developing there is a procedure whereby prior to trial both counsel meet—

**Mr. Renwick:** I understand that. I'm talking about any discussion about plea and any disclosure would take place long before the matter got to a preliminary inquiry before the provincial court judge. Surely, there is no basis for further plea discussion after a committal for trial by the provincial court judge?

**Mr. Callaghan:** I would say generally you are right, but there are many cases in which the circumstances change between committal and trial which really warrant discussions and often you will get reduced pleas at that point in time. Those discussions are separate and apart from the pre-trial conference which takes place. The pre-trial conferences they are doing now take place before a judge who will not be trying the case, whereas the plea discussions will invariably take place between counsel in the presence of the judge who will try the case and will ultimately affect the sentence.

**Mr. Renwick:** Perhaps you will let us know what happens.

**Mr. Callaghan:** There is one thing that has been drawn to my attention and I am very surprised at the comment in the letter about Mr. Johnson's remark because I am advised that he spoke to the woman for over an

hour and he indicated to her that litigation would not survive the death of her husband. That was the point he was trying to make. I am also told that he was kind throughout and that they broke off the conversation on very amicable terms. I can assure you that he is one of our more capable officers and I find it very difficult to accept that he would make that kind of statement. He would say something different, I am sure.

**Mr. Lawlor:** Yes. The next range of things that I want to get into, not in any elaborate way, but the Attorney General's public image is based upon certain issues—let's leave the hockey thing aside. I think perhaps we've dealt enough with that.

Take the pornography issue. Again, it's an issue that lies wholly outside your jurisdiction. Maybe the word "wholly" is a little too strong, but the fact is it's in the Criminal Code; it's within the ambit of the powers and authority of the federal minister; questions of prosecution arise. You have this group—I think you're perfectly entitled to have such groups, despite the Globe and Mail—to give you outside counsel and advice as to what the general public think on these issues too, but what has come out of it all?

There's talk of giving authority to municipalities under bylaw control to handle pornographic literature. There was talk of segregating to two different kinds of stores for adults only, located in certain areas, and other areas being free of that kind of literature. What's it all come out to?

**Hon. Mr. McMurtry:** Let's talk about that for a moment or two because that can't be answered in 30 seconds, Mr. Chairman. The issue of pornography we all recognize is a very complex issue given to all of our own subjective prejudices in the area, our biases. It is one that I must frankly confess was an issue that was not a high priority issue when I assumed my office.

I had been Attorney General for some months when I was inquiring about certain prosecutions that were proceeding in this area. As a result of my interest, officers representing the Metropolitan Toronto police and the Ontario Provincial Police attended my office to give me some indication as to the nature of the material that was being widely distributed, and not only in Metro Toronto but throughout the province and particularly in premises that were generally frequented by young children as well as the public as a whole.

I have no hesitation in stating that I was somewhat surprised and disturbed by the

nature and quality of some of the material. One of my concerns, of course, was in relation to the resources that are available to the police and to the Ministry of the Attorney General with respect to prosecutions under the Criminal Code. I think you should not avoid the fact, Mr. Lawlor, that there are obscenity provisions in the Criminal Code pursuant to which certain of our law enforcement officers, without any encouragement from the Ministry of the Attorney General or anyone else, lay charges. That is their perfect right to do so and that is within the discretion of the law officer.

My concern, which has been expressed to anyone who chooses to ask—there's no secret about it—is that I was concerned to the extent to which prosecutions were effective in this area, particularly in view of the flood of material on the market, because of the cost of the prosecutions, because of the fact that some of these prosecutions gave enormous publicity to certain publications which only assisted them in their commercial ventures. These were some of my concerns.

But as a matter of interest as to what has occurred, certain charges were laid—well, charges had been laid—certain charges were laid in Metropolitan Toronto against the major distributor in Ontario. As a result of the charges being laid, counsel representing these distributors before the disposition of the charges—because the charges had not been disposed of—indicated what they had hoped to do. First of all, they intended and stated that—and the counsel involved said I could make this public any time I wanted. He personally was very distressed by the nature and quality of the material that was being widely distributed. After consulting with his clients, they had withdrawn some 80 publications from circulation on their own volition, firstly.

Secondly, they had instructed their distributors, if they were going to distribute this type of magazine, to display it in such a way that it would not be easily accessible to young children. Certainly, from the reports I've had from most parts of the province, in many areas the distributors, regardless of the companies involved, have followed these directions and have distributed these magazines in a way they're not as easily accessible, or accessible generally speaking, to young children.

In view of the fact that I had not frequented many of these variety stores, some of which were in my own riding, I was somewhat distressed by what I saw. Always feeling that my subjective prejudices or biases should not govern my activity to any great



extent, I even went so far as to invite the Justice critic for the Liberal Party, because of some concerns he expressed, to express his opinion in relation to some of the material that was being widely distributed. He expressed his serious concern at that time. I don't know whether he's changed his mind but he expressed a legitimate and genuine concern in relation to the availability, I think, to children.

**Mr. Roy:** I might state that I did go down. I had no idea of the type of junk that was on display. The Mac's Milk chains and all these other chains don't have those magazines. Even Playboy, Penthouse and all those other magazines are now kept behind the cash register counter and are not available to kids.

**Mr. Renwick:** The only problem is I read The New Yorker regularly and I found that it had been hidden away behind some cash register the last time I was in there.

**Mr. Peterson:** I have a supplementary on that. Can you tell me how many prosecutions have been launched since your crackdown on books? How many have come to trial and what's the record?

**Hon. Mr. McMurtry:** First of all, Mr. Peterson, I should explain about my so-called crackdown. One of the major investigations that was carried out by the police and that resulted in charges being laid against major distributors, I would have to say was carried on for many weeks—not months—totally without my knowledge. I can't take much credit for that aspect of the crackdown. This was something that was initiated by law enforcement bodies.

**Mr. Peterson:** Was that under the Attorney General's department? Where was it from?

**Hon. Mr. McMurtry:** No, no. It was the Ontario Provincial Police and the Metro police. They come to us for advice.

**Mr. Peterson:** In concert or individually at the same time or what?

**Hon. Mr. McMurtry:** No, Metro and the OPP were working in concert in relation to one major investigation.

**Mr. Peterson:** So you could go to Brampton and buy your pornography. This was not a province-wide thing?

**Hon. Mr. McMurtry:** Oh, yes. But Metro of course is a very large part of the province population-wise so the OPP were working in

particular concert with Metro. I'm not suggesting that they were not necessarily working in concert with other local municipal police departments, but the part of the investigation that I know about was in relation to and in conjunction with the Metro police officers. I can tell you that the investigation was province-wide. I'm not saying the Metro police were going province-wide but the OPP who had the carriage of it to some extent and, as a result, charges have been laid. I know of no cases that have come to trial since I've been Attorney General except for the celebrated "Show Me" trial.

**Mr. Peterson:** Were you behind that?  
[10:15]

**Hon. Mr. McMurtry:** I knew nothing about that. The charges were laid before I was sworn in as Attorney General.

As a matter of interest, I don't believe that it's the role of the Attorney General to instruct police officers to go out and lay charges. In certain cases I will say, "We are concerned about a certain area of activity. Will you look at it?" Police officers will come to my senior law officers for guidance often because sometimes there are complex issues involved. But what I am saying is that the charges that have been laid, even without coming to trial, have had the effect of persuading the major distributors to police themselves to a much greater extent than they were doing before the charges were laid.

**Mr. Peterson:** Do you have any idea how many charges were laid, say in the last six or eight months?

**Hon. Mr. McMurtry:** There may be someone here who will know the precise number of charges, but I just can't give you a ball park figure at the moment. I can get that information for you.

**Mr. Peterson:** And whether it was radically different from the six months prior. I want to tell you about something that really concerned me about running this kind of a law enforcement system, but I—

**Hon. Mr. McMurtry:** Maybe you better find out about the system before you criticize the system.

**Mr. Peterson:** Well, with respect, you don't even know the number of charges. So how the hell can I figure it out if you don't know?

**Hon. Mr. McMurtry:** Well, we have 100,000 charges—you know, that is kind of a silly remark, because I don't keep track of

every charge. One hundred thousand indictable offences or more are prosecuted in this province—

**Mr. Peterson:** No. But, in fairness, when you make this a major political issue you have a responsibility to know this.

**Hon. Mr. McMurtry:** "You" who? I didn't make it a major political issue.

**Mr. Vice-Chairman:** Hold on now. Let the minister respond.

**Hon. Mr. McMurtry:** The silly season is beginning.

**Mrs. Campbell:** Could I have a supplementary on this?

**Mr. Vice-Chairman:** Yes, we could all—

**Hon. Mr. McMurtry:** The member should have a little better understanding of how the system works.

**Mr. Vice-Chairman:** We can all have our supplementaries if we would ask the questions, stick to the topic and let the minister reply; then everybody gets a chance. Is the minister finished?

**Hon. Mr. McMurtry:** No, I just wanted to make one more point here in relation to the resources that could be allocated in this area, with or without any encouragement by myself. My concern is that, because of the flood of this type of material that could be prosecuted under the Criminal Code, obviously we simply don't have the resources—nor do the police—to prosecute every publication that probably falls within the definition of the Criminal Code.

I have had a number of discussions with the federal government in relation to attempting to stem the tide to some extent as to what comes across the border. As 95 per cent of this material comes across from the United States, my view was that the federal government could be of assistance in eliminating from the market some of the obvious material.

The whole issue of censorship is a very complicated and very sensitive one, but accepting the opinion of some of the lawyers who are presently representing the major distributors, they expressed the view to me that it would be helpful to them if the customs department exercised some judgement in the matter—not in areas where there is any controversy, but only in the obvious areas. This could stem the tide considerably because, as one of my senior law officers said to me when I first was discussing this

problem, the law enforcement agencies and the prosecutors in the United States have pretty well turned their back on it; they have given up.

We recognize the fact—again, to quote the words of one of my senior law officers—that to try to solve this problem by prosecution is to attempt to bail out a flooded basement with a thimble. We are well aware of this fact and we are concerned about not allocating resources that we need more badly in other areas to this problem—and it is one of many problems that we face.

On the other hand, because it's a difficult problem, as long as I am the Attorney General of this province, I don't intend to ignore it and turn my back on it, just because of the complexity of the problem and just because it offends some people who feel that there should be absolutely no form of censorship and children, for example, should be exposed to any type of material, with no holds barred. If the federal government wishes to eliminate the obscenity sections from the Criminal Code that will be the decision of the federal Parliament.

**Mr. Vice-Chairman:** Okay. I am going to let Mr. Norton and Mrs. Campbell get a quick supplementary in, hopefully before we run out of time this evening.

**Mr. Norton:** Thank you, Mr. Chairman. My question relates to the question of whether or not your ministry has a particular policy with respect to the prosecutions. In particular, I understand that in some instances charges have been laid against employees of corporations who are distributing such literature, such as truck drivers and other employees, which in other instances the charges have been laid against the corporation. I also understand that in some cases the charges against individuals have been withdrawn and charges then relaid against the corporation. I wonder if there is a policy with respect to who is charged in such situations, whether they are pursued against the corporation in all cases or in some cases against individuals who are employees?

**Hon. Mr. McMurtry:** The policy, as I understand it—and the deputy minister can comment on this as he has been associated with the ministry, of course, far longer than I have—is to lay charges against people who are considered to be culpable within the provisions of the Criminal Code. For some period of time, I suspect, there was a tendency to proceed largely against corporations because corporations often were not too overly

concerned about charges and often pleaded guilty. The corporate structure was changed and they would, in many cases, simply carry on business under another corporate structure.

The individual Crown attorneys throughout the system do have discretion, of course, an individual discretion, to exercise with respect to how each of these cases are proceeded with. While we attempt to lay out general policy guidelines in certain areas, of course, we must rely on the individual judgement and the discretion of the individual Crown attorney who is a trained law officer. As you can well appreciate, Mr. Norton, every case depends on the particular circumstances of that case.

The policy since I have been there with respect to proceeding against corporations is to—I hadn't heard about proceeding against truck drivers as you mentioned; I know of no cases, but that's not to say that there aren't. We are concerned about some individual responsibility, though, within the corporate structure, and where there are flagrant breaches of the law in this area we feel that individual responsibility should be pursued. We are talking about a fairly senior management level.

Perhaps Mr. Callaghan could assist further in this area.

**Mr. Callaghan:** We have had great difficulty in pinpointing the area of responsibility. First, we tried the magazines and the distributors at the shelf. We discovered on investigation that a lot of the people who put this type of material on display had to put it on display in order to get other material. If they didn't take the so-called bad magazines, they wouldn't get Time and Newsweek and things of that sort; so at that point in time you would go after the distributing companies.

Often you would never be able to tell who the distributing company was until you got the driver who would then tell you who his company was. We proceeded against the drivers but when we found out who the company was we withdrew the charges against them because it was really the corporate management we were trying to get.

This is what led us to the rather extensive investigation that has resulted in the present charges, to try to deal with the distributorship at the highest level. We think that is the only practical technique at this point in time. To proceed with prosecutions against individual publications is really not a very practical way of doing it so that at this point in time we are trying to get the ultimate

distributorships which are handling it and we may or may not succeed.

**Mr. Norton:** I have one very short supplementary: To your knowledge are there any charges at the moment outstanding against people, say, at the level of employment of a truck driver in the corporate structure?

**Mr. Callaghan:** There may be some in Ottawa. That's all I can say.

**Mrs. Campbell:** May I first say that so far as I am concerned in the whole matter of the relationship of this kind of distribution that would be available to children, I am highly supportive of the Attorney General and his views. One of the things that I have been concerned about is that in enunciating his views tonight, I wonder if there was a reason why he hasn't elaborated on the element that, I am apprised, is really behind all of those, and that is a very high level of organized crime. He hasn't dealt with it on that level and I wonder whether he could elaborate and give me a reason for that.

Secondly, he has mentioned the question of customs. I have very great concern about the customs officials here in this area and you know very well the children of the city of Toronto were warned of the Kinsey report as pornography and I don't know how any child would ever get through those volumes, let alone anybody else. This is where you generally have the problem when you have that kind of discretion at the customs level.

I wonder if the Attorney General could elaborate somewhat on those two factors?

**Hon. Mr. McMurtry:** I agree there is a connection with organized crime, I have said so in the past, and I must say that my information is from our law enforcement officers that a large part of this pornography is material imported from the United States and is controlled by organized crime, and is outside our jurisdiction.

**Mrs. Campbell:** And the profits are enormous, I understand.

**Hon. Mr. McMurtry:** The profits are enormous but we are powerless to bring action against them in this jurisdiction. This information is very much of a hearsay nature but some of it is repeated by their agents in this province. I am not suggesting that the present case or cases before the courts of Ontario fall within this category.

**Mrs. Campbell:** I wasn't suggesting that.



**Hon. Mr. McMurtry:** I agree with you, Mrs. Campbell, that the concept of customs being involved in any form of censorship is a very difficult concept and one that should be exercised with the utmost of caution. As I said that there are certain provisions in the Customs and Excise Act which clearly deal with those problems. In my view the federal authorities are being lax in enforcement with this type of material which clearly falls in this category, but most of it could be directed by control across certain borders. It would be very difficult, if not impossible, to control the matter on our own perhaps without assistance of customs. But you could direct a great deal of it through certain border points and have that in reserve. It is, in my view, quite feasible to train customs officers of the quality to deal only with the most obvious material and perhaps an advisory board, various boards that might work in conjunction with the various border points. This type of concept has been proposed to establish some type of appeal procedure from the publisher, the distributor and the retailer to avoid unfair form of censorship. I would think for example that any such customs activity should be monitored very actively and would be supervised continuously by some legislative committee of the federal Parliament in order to assure the Canadian people that the type of material being kept from crossing was—that there wasn't any unfair form of—well, it really is a form of censorship—and to see that it was exercised, as I say, in only the most prudent and sensible manner.

I have often thought that any form of censorship, which is generally regarded as undesirable and to be exercised very cautiously, should only be exercised by any government, whether it be federal or pro-

vincial, if monitored by legislative committees, either federal or provincial, to represent the people to see that this responsibility or that this right or power is being exercised responsibly. I recognize the difficulty of the problem.

**Mr. Vice-Chairman:** Okay, it is now 10:30. The committee will adjourn until Thursday after question period. I have on my list, just before we do break up—Mr. Lawlor, have you finished your questions on this item?

**Mr. Lawlor:** No, I haven't.

**Mr. Vice-Chairman:** Mr. Lawlor; then Mr. Roy; then Ms. Sandeman. I am going to have to do some thinking, I guess, about whether we continue, as has been the custom in this committee, to allow interjections on a particular point. We have done that to date but this evening, as an example, we managed to get ourselves rather nicely astray around the table pursuing one question; perhaps it might be something that the committee could think about between now and Thursday. Do we prefer to go through a speakers' list and adhere to it so that one person finishes his questioning, then each one gets it afterwards? Or do we continue as we have this evening so that when an item is before the committee and under discussion we allow members of the committee to interject at that point to pursue that particular point? Perhaps we could think about that between now and Thursday.

**Mr. Norton.** Probably not all questions would be of such general interest as Mr. Lawlor's.

**Mr. Vice-Chairman:** I imagine not.

The committee adjourned at 10:33 p.m.

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 Callaghan, F. W., Deputy Attorney General



Ontario

# Legislature of Ontario Debates

SUPPLY COMMITTEE — 1

ESTIMATES, MINISTRY OF  
NATURAL RESOURCES

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

Wednesday, October 27, 1976

Morning Session

Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

THE QUEEN'S PRINTER  
PARLIAMENT BUILDINGS, TORONTO  
1976



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An alphabetical list of members of the Legislature of Ontario, together with lists of members of the Executive Council and Parliamentary Assistants, appears as an appendix at the back of this issue.

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## LEGISLATURE OF ONTARIO

### SUPPLY COMMITTEE

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The committee met at 10 a.m. in committee room No. 1.

WEDNESDAY, OCTOBER 27, 1976

#### ESTIMATES, MINISTRY OF NATURAL RESOURCES

(continued)

**Mr. Chairman:** Gentlemen, I now see a quorum. We're on vote 2301. I'd like a little guidance from the committee. Do you want to take vote 2301 item by item, or do you want to include that in the whole vote?

**Mr. Stokes:** I have no objection to dealing with the whole vote. It may prove a little unmanageable after we get a few more members in, but—

**Mr. Chairman:** Possibly we can take it item by item then.

**Mr. Stokes:** Okay.

**Mr. Haggerty:** We'll rehash it over again.

**Mr. Stokes:** Has the minister got a response?

**Hon. Mr. Bernier:** Yes, I have a response, but speaking on this particular question, Mr. Chairman, I think it would be much easier for the committee and certainly my staff if we took it vote by vote—item by item, rather—so they can answer specific questions on technical details. That may be of help and interest to the members.

**Mr. Yakabuski:** That is what I propose, Mr. Chairman, what with members inclined to wander on to other votes.

**Hon. Mr. Bernier:** Could you allow me to respond to both of the opposition critics?

**Mr. Chairman:** Yes, we'll grant you that, as long as it isn't too lengthy.

**Mr. Ferrier:** Without being provocative?

**Hon. Mr. Bernier:** Without being provocative. You know, I've got a new button here this morning. You noticed that button, eh? You know what it says? "I'm a friend of the forest."

**Mr. Bain:** So we're going to get into some good reforestation.

**Hon. Mr. Bernier:** That's right.

Interjections.

**Hon. Mr. Bernier:** If I may, I will open my remarks by commenting as strongly as I can with regard to the Globe and Mail article that appeared in today's edition dated Wednesday, October 27, which on the front page points out "19,000 Square Miles of Timber Awarded to Reed Paper." The byline is Peter Mosher and the first paragraph is very inaccurate. It reads:

The Ontario government signed an agreement yesterday giving Reed Paper Limited timber rights to almost 19,000 square miles of northwestern Ontario, provided forest studies and the environmental impact of a proposed pulp mill are favourable. The area of forest is almost as large as Nova Scotia.

That is entirely incorrect. I just can't understand why there is such a distortion. It was very clear in my statement yesterday that we were establishing a study area. No timber rights were given to Reed Paper Limited, no cutting rights of any sort. In fact, I outlined in detail a framework by which public discussions would take place within a specific period of time. There would be ample opportunity for all those people who are concerned, who are involved and who are affected to present their point of view to the Environmental Assessment Board.

Only after those hearings are held, after the information that the Reed Paper company has and the information that my ministry gathers with regard to the forest resources inventory are carefully considered by this public body, only then, which could be some two and a half years hence, will a decision be made with regard to the licensed area or the cutting rights. I just want to make that very clear.

If I may, I will respond briefly to the opposition critics. I will first just comment briefly on the remarks made by the member for Lake Nipigon. I have to admit that I do appreciate his contribution and his concern for the resources of northwestern Ontario. I think it's fair to say that last year we missed

his contribution. I don't think it was as broad as it was this particular year.

I would have to congratulate his speech writer. I would have to say to the committee and to you, Mr. Chairman, and to the member himself that some of the words that he used were not the words of the member for Lake Nipigon riding—such words as “bloated bureaucrats” and “mandarins.”

**Mr. Bain:** Those were his words.

**Mr. Stokes:** I had no speech writer.

**Hon. Mr. Bernier:** They are just not his type of expression. I suspect that some mentors behind him are providing him with information because I realize he has new responsibilities, heavier responsibilities, and maybe he didn't have the opportunity to do the necessary speech writing that he would have had in the past.

**Mr. Stokes:** I want to assure you I had no speech writer. I did quote extensively from experts in the field but the reference to mandarins and bureaucrats was purely my own. I accept full responsibility for them.

**Mr. Ferrier:** He had a conversion on the road from Schreiber to Thunder Bay.

**Hon. Mr. Bernier:** If I may just debate here for a moment, the hon. member made some considerable reference to a certain Lakehead professor. When he spoke about the bloated bureaucrats and mandarins in my ministry, I want to point out to the members of the committee that those bureaucrats and those mandarins are also lecturers at the University of Toronto in the faculty of forestry, and also lecturers at the Lakehead University. They operate and they work very closely with the person to whom you referred so extensively in your opening remarks. So I just find it hard to believe and hard to accept that they are what you say they are.

You questioned the reduction in our request for this particular year. I just want to briefly point out that the reduction mainly is in the Algonquin Forestry Authority requirements. If you look at that particular request, you will note it's down considerably from \$6 million to about \$1.5 million. That is the principal reduction. Many of our requests are the same as last year or fairly close. We're all very much aware of the constraints and the budget requirements placed on us.

I want to deal briefly with the memorandum of understanding that we signed with Reed Paper Limited yesterday. I think it was most opportune for the member for Cochrane

North to raise a question in yesterday's question period relating to the job opportunities in his particular riding, particularly in Timmins.

**Mr. Ferrier:** Cochrane South.

**Hon. Mr. Bernier:** Cochrane South, I'm sorry.

**Mr. Bain:** Cochrane North next election.

**Hon. Mr. Bernier:** Dreamers. He expresses some concern about the employment opportunities that were declining because of the gold mining situation in our province, because of declining activity in that particular area of the non-renewable resources. I share his concern; and I know how concerned he is because we've met on the issue on a number of occasions and we've discussed it many times. This is the whole thrust of the government's desire to utilize the renewable resources of northwestern Ontario, to improve the economic base of that particular area.

As the members know, the Red Lake-Ear Falls area is now dependent on the non-renewable resources, similar to the area to which the member for Cochrane South referred yesterday. There are jobs at stake. There are jobs being depleted. As an example, Madsen Red Lake Gold Mines closed recently and Cochenour Willans Gold Mines closed. Granted these people are attempting to find jobs in other mines in the area, but it's having a serious effect.

There's a crying out in northern Ontario, particularly in our non-renewable resource communities. We know what we went through in Geraldton where the people wanted a longer security. They wanted a better economic base. They want something from the renewable resources of this province. And I say if an area can support—and that's what our forest resource inventory will do, examine if that area can support—a major integrated forest complex, then I think we have a responsibility, an obligation to utilize and to manage those resources in the public interest, in the long term public interest. I just want to point out that in the final pages of that statement I made yesterday in the Legislature I said:

Should the company and the government agree that the development of the complex is in the public interest and its social benefits are commensurate with its economic benefits to the public of this province, the company has agreed to provide the government with an irrevocable and valid letter of credit in the amount of \$500,000 as a



guarantee that the company will fulfil its various obligations.

What I'm driving at is that we have an obligation to use those resources in the total interest of the province. I think the member for Lake Nipigon (Mr. Stokes) made this very clear, that the entire province was most concerned about what would happen to those renewable resources. The framework is there.

The public hearing will be held over the next two and a half years and possibly even longer, only then; after all these public discussions are held, when all the various groups—be they the Sierra Club, the Federation of Ontario Naturalists, the local municipalities of Red Lake and Ear Falls and Dryden, and particularly our native people—have an opportunity to roll out just how they feel about that particular development, how it will affect them and how they want to be involved.

The leader of the Liberal Party made it very clear that in his opinion the native people of that particular area want the development but they want to be involved in the planning stages. These public hearings which we will hold will allow the opportunity for our native peoples to get involved, to express their points of view and to request involvement to their full capacity. So I think the stage is set whereby we can fulfil the obligations that we have as a responsible government, as a government that has accepted Design for Development, Phase 2, in which it was strongly recommended that the renewable resources of northwestern Ontario be used to the optimum to the benefit of the area, particularly in those areas recognized as Strategic B centres; the Red Lake-Ear Falls area, of course, is one of those.

[10:15]

I can recall vividly, on previous examinations of my ministry's estimates, that the member for Lake Nipigon spoke in a very eloquent way of the greater utilization of the wood resources of northern Ontario. He spoke of utilizing all the species that up to that point in time had been overlooked by many of our industries; for instance, the poplar supplies, the balsam supplies and the birch supplies. Well, we are moving in that particular direction and, before I'm finished, I'll outline to the members some of the industries that we've attracted in recent years.

He also spoke of the necessity of harvesting the areas that are now over-mature; he spoke at great length and, as I say, very eloquently. We read those comments and we're acting on that particular point. I just make the point that he was aware of the situation

several years ago; we're aware of it and we're moving in that particular direction.

I was a little disappointed that the member for Lake Nipigon spent so much time on the area of the Dryden Paper Company. I had to think that it was maybe a little political. No mention was made of the massive Kimberly-Clark development in his particular area, or of the new pulp and paper mill and the massive expansions that are going on in the Thunder Bay area. I just wonder why these were overlooked. I also wonder why the Umex development was not even mentioned and why no support was forthcoming for Treaty No. 9 in their opposition to that particular development. I just say that in passing.

**Mr. McClellan:** It will be. We will come to that.

**Hon. Mr. Bernier:** Mr. Chairman, I just want to make the point that it is not easy to get more money in this period of constraint and budget cutbacks. The member for Lake Nipigon made a very forceful plea that we should pound the cabinet table for more funds for reforestation and regeneration; certainly I agree with that approach, and we've been doing it. But I have to tell you that in any society, not only in this government, when you're asking for funds to plant trees today, in the year 1976, and you would not actually reap benefits for 60 or 80 years down that particular road; and when you have the Ministry of Health, the Ministry of Education and the Ministry of Community and Social Services looking for additional funds that will affect individuals today, it has a bearing on those funds and how they're allocated. Let's be human about it; let's not just pass that off as an easy way out, because it's not.

**Mr. Ferrier:** You are thinking too short-term.

**Hon. Mr. Bernier:** We're dealing with people, and we must never forget that. When you look at the figures—I'll just give you a few figures—we have not been standing still, contrary to the belief of many.

In 1972-73, in our forest management activity, we spent \$19,265,800 with a complement of about 743 people. In 1975-76, we're up to \$32,428,000, with an increase in complement of about 98; and of that 98, 95 are in the field and only three are at head office.

If I may just go back for one moment, in your comments about the head office staff

you spoke about the mandarins and the bureaucrats here at head office. I just want to inform the members of the committee that in our forestry management activities, we have about 60 people at head office and more than 800 in the field. The bulk of our operations are obviously in the field, and I can relate to you, sir, and to the members of the committee, that we have an extremely healthy relationship moving from head office to the field. There are constant meetings, there is a constant relationship.

Sure, we can be critical of ourselves. I think it's a healthy sign when the staff can look at their particular areas of jurisdiction and be critical of themselves, because that's exactly what we're doing. Much of the information that's been rolled out is known to us; much of it's taken from our own particular files. We don't find fault with that; we think this is a healthy situation and this is what makes the whole operation go. I want to compliment the member for rolling this out again, because it's of concern to me and, I know, to other members of this particular committee.

To show you that we have not been sitting still, as you all know back in 1972 we recognized that we had to do something and we were looking for a forest production policy. We did go to cabinet and we did get an approved policy in 1972, a forest management policy: "Forest Production Policy Options for the Province of Ontario". That was a recent step. That will provide that by the year 2020 we will have 9.1 million cunits of wood fibre available. However, since that time much has happened.

I want to put on the record what has happened because at that point in time not only did we look at our needs for that particular day—the hon. member for Lake Nipigon will agree with me when I say we weren't even using our allowable cut with regard to the forest. I believe in softwoods we were around 50 per cent or maybe 60 per cent. We went out and looked for customers following pressures from this particular group, pressure from members across this province saying, "We have an over-mature forest; get out there and do something about it." Well, we did and here's what happens.

Spruce Falls Pulp and Paper Company, Kapuskasing, a capital investment of \$3,865,000; Great Lakes Paper Company, Thunder Bay, \$4 million, a stud mill, a tie mill; Pope and Talbot at Hudson, who took over from Lac Seul Forest Products, a capital investment of \$2.5 million, an expansion to the sawmill;

Weldwood of Canada at Longlac, an expansion to the wafer board plant. Eddy Forest Products at Nairn Centre, a sawmill; Newago Timber Company at Mead, \$4 million for an expansion to a sawmill; Laidlaw Lumber Company, that's MacMillan-Bloedel at Thunder Bay, a flake board plant, \$9.4 million expenditure, employing about 70 people in the woods and 70 people in the mill.

This is one particular industry that we searched for, because it will utilize the underharvested species of poplar which, up to this point in time, was not being used to any great extent and we had a surplus of it.

Kimberly-Clark at Terrace Bay, a major expansion of a stud mill there; Waferboard Corporation, the Malette Lumber, at Timmins, a flakeboard plant; Kokotow Lumber Limited went on at that particular time, but they're in difficulty at the present time, with a sawmill that was employing up to 300 in the woods operations. Sklar Furniture Limited at Mattawa, a sawmill; Rogers Lumber Company, Alban, \$1 million for a sawmill employing about 100 people both in the sawmill and in the woods; Spruce Falls Power and Paper Company at Kapuskasing, a newsprint expansion; and Cochrane Enterprises, a new sawmill.

That's what happened after we came out with this, because we went out and we worked on it. Since then we've worked on revisions to those particular production policy options and we'll be coming back to the government for improvements, updating those policy options which will take us up to the year 2050. We have been moving in that particular direction.

Of course, along with that we have the design guidelines for forest management which assist our people in the environmental guidelines with regard to forest management. It's a very valuable document which has come out very recently and is used by the field staff. You're also aware of the proposed policy for controlling the size of clear cuts in northern forest regions in Ontario, released in June of this year.

We're aware of the situations with regard to our forests. All these documents, and the ones that I'm going to show you, have been made public. We accept the fact that we're not perfect, as are other jurisdictions, and I will point that out to you later. We want the input, we want the dialogue to continue with those people in the industry and those people in the public.

Also, very recently of course, the Armson report to which I referred in my opening



statement was a report that we commissioned about a year ago. We wanted the information. We wanted some expert in the field outside of government who would look at the whole situation as to the terms of reference that we had laid out and come back to us with a report that is being carefully examined both in the ministry and outside the ministry at the present time.

Following that, we also made changes to the revenue that was coming to the government. You will recall that the Treasurer (Mr. McKeough) increased the Crown stumpage dues by double. That was the first step, and at that particular time he said that we would have a task force established with his ministry, the Ministry of Treasury, Economics and Intergovernmental Affairs, and the Ministry of Natural Resources, and we would look at a new formula of indexing the Crown stumpage dues to the end price of the product. That is complete. This is the report of the timber review task force to the Treasurer of Ontario and the Minister of Natural Resources, which has also been given broad distribution throughout the industry and throughout the public. We've had their reaction. We've had their input and, as I mentioned in my opening statement, I will be introducing a piece of legislation, amendments to The Crown Timber Act, which if approved by the Legislature will allow us to implement the recommendations of this task force by January 1, 1977.

I have to refute the statement that we were playing around with the forest production policies. We're not playing around with them at all. We're reviewing what those policy options should be by the year 2050.

I just want to read into the record some quotes. The member for Lake Nipigon spoke at great length about the situation as it stands in Sweden today and how it stands in Finland. It's obvious, of course, that he was using specific sections of that gentleman's remarks to get his point across, but there are also several statements made in those speeches which may just point out a more balanced picture. It's not all as well in Sweden and Finland as you are led to believe.

In fact I can recall, Mr. Chairman, several years ago when the same argument came up concerning the woods operations in Sweden—how well managed they were and how careful the government was to manage those forests—so I headed a committee at that time made up of people from the industry and people from my own staff and we went to Sweden to look at their operation. We were amazed. Much that had been told to us here

in the Legislature was not all that factual. They were having problems. Their particular problem at that time was overcutting. They admitted to us openly that they were overcutting extensively. In fact, it's interesting to note that Sweden and Finland today are importing raw wood from other sources in great abundance to keep their present operations going. I just want to make those points clear to you. I just want to read into the record some paragraphs from Steenberg's comments made to the Royal Institute of Technology in Sweden in which he makes these comments. If you have a copy I'll refer to page three:

The forest protection law requires that reforestation measures have to be carried out within five years after clear-felling. The very low prices of wood during the long period have resulted in using the cheapest possible regeneration method; namely, seed trees. Plantation was less used. Partly because of the lack of suitable seed and partly because of high costs, the recommendation of seed trees has now turned out to be unsuitable. Far more trees have to be left standing to produce maximum result. Thinnings, especially non-commercial thinnings, were neglected again for economical reasons. [I point out to you that that's in Sweden.]

Also there is now a consensus that these activities have been far too small. [He is saying that about his particular country.] The situation is complicated by a sudden disappearance of the overmature forest. Research on the growth versus age has given strong indications that the present cuttings have been made on the basis of too short a rotation time.

[10:30]

Also, further down, he says:

If the present annual cut is going to be upheld, the projections indicate that about 15 to 20 years ahead too young trees must be cut to keep up the present needs of the industry. The silviculture strategy to solve this problem is under intensive study and I can only indicate to you some main ideas.

I just point out to you, Mr. Chairman, and members of the committee, that all is not all that well in that particular country. He goes on to say:

The forest protection law requests smallest possible clear-fellings, but both general economic conditions and insect damage show that the larger tract fellings minimize insect damage. Clear-felling has proven to be the only possible system under the prevailing soil and climatic conditions and



gives also the best humus turnover. Group selective cutting is out of the question for northern forests already because of the fungus problem, if pine is of interest.

I just point out to you that they are reviewing in Sweden their clear-cutting policies as we are doing in this particular province; they are watching what we are doing and we are watching what they are doing, so they don't have all the answers that sometimes you are led to believe.

I am also going to report to you comments from Dr. S. E. Appelroth. He is with the Finnish Forest Research Institute, Helsinki, Finland. The member for Lake Nipigon commented on his remarks extensively, again to make his point; but he of course failed to include all the comments, which sometimes can be a little distorting. I would like to put into the record his comments on page 10, in which he states:

The forests owned by the industry are on an average the best managed forests. The state forests are located in remote areas and therefore more extensively managed. As a whole, the age class distribution of the forests may in the future cause an increased shortage of wood because there is deficiency in the youngest classes. Also, clear-cut but not yet reforested areas of over four per cent indicates that everything does not work as it should.

Now he makes that statement: "Everything does not work out as it should."

To some extent it is unavoidable, because there are often biological reasons which prevent immediate regeneration after cut.

Continuity and consistency is extremely important in forestry, particularly when the rotation age is about 100 years. It is estimated that the private forest owner holds his property for less than 20 years before the next generation owner takes over and has to pay inheritance tax. The money for it is usually cut out from the forest.

The tendency is that the growing stock of the whole forest holding will decrease. This has happened in Finland. If some mistakes have occurred in silviculture, there may be no other alternatives than to start from the very beginning.

That's the same statement to which the member referred. I just want to put that on the record to clarify and to put a balance to some of those particular arguments.

Now if I could refer to the remarks made by Dr. Smith, the leader of the Liberal Party, I regret that he is not with us this morning,

but he did indicate to me last night that he had a previous engagement in Windsor and could not break that engagement. He assured me that it was not playing tennis, it would be for some very important reasons; nevertheless, he is not with us. However, I just thought I would put on the record my appreciation in having him here with us. He has only been the leader of that particular party a short period of time and to have him here with us to express his concern and his interest in the programmes and the policies of the Ministry of Natural Resources is encouraging. I do think he had something to contribute, even though he has only made two trips to northern Ontario.

**Mr. R. S. Smith:** He has been in my riding alone twice, let alone the others.

**Hon. Mr. Bernier:** They forced me into saying that.

**Mr. Chairman:** Order, please.

**Hon. Mr. Bernier:** I share the concern the leader of the Liberal Party has for the native people as it relates to the possible development in the Red Lake-Ear Falls area. As I said in my opening remarks, there will be certainly every opportunity for those people, as there will be for other people in that area, to express their concern and their desires with regard to the social, the economic and their cultural concerns as they relate to that particular development. As we go down the road in our public sessions, these will be fully explored by all those public bodies and the public generally so that we will have a better understanding of the whole situation and, of course, in the two and a half years' time will be in a better position to make a decision which will affect that area and those people.

Much of what he said on the forestry aspect has already been commented on by myself, so I will not belabour the committee with reviewing that. I was particularly pleased that the leader had expressed some concern with regard to the mining industry and the decline in that particular field.

He is correct in making the statement that there is a decline in exploration, a decline in drilling and generally an overall decline with regard to investment capital in the mining sector. I would ask him, as strongly as I can, if he would use his good offices in the strongest way that he can gather it together, and approach his counterparts in Ottawa; because as you read the financial pages, as you read the comments from the industry, as you read my comments, as you read the com-

ments of the Treasurer of this province, you will see that the basic problem is the taxation problem and the instability with regard to taxation as it relates to the mining sector. When you think that much has happened over the last four or five years, I lay the blame quite frankly on such fellows as Eric Kierans who trotted up and down this province and spoke of economic rent.

**Mr. Lewis:** I don't love him either, but that is a heck of a charge.

**Hon. Mr. Bernier:** The corporate welfare bums are feeling the effects of that today.

**Mr. Lewis:** Be careful, you are broadening your accusations.

**Hon. Mr. Bernier:** We are seeing the effects of that today. We saw what happened in BC.

**Mr. Reid:** Whatever happened to Kierans and Lewis anyway?

**Mr. Lewis:** Lewis is as happy as he's ever been; father and son I may say. Eric? Who knows what will happen to him.

**Hon. Mr. Bernier:** But that was the turnaround point. From then on, we have been in trouble. We have seen what happened in British Columbia; we have seen the confiscation that has taken place in Saskatchewan; and these have all had an effect with regard to the investment capital.

**Mr. Lewis:** The what?

**Hon. Mr. Bernier:** The confiscation.

**Mr. Lewis:** What confiscation? Point of order, what confiscation?

**Hon. Mr. Bernier:** The potash industry.

**Mr. Lewis:** They are compensating fully with the agreement of the company. You just be more careful with your language or you detract from your credibility. God knows you shouldn't do that any more.

**Hon. Mr. Bernier:** What happened in the province of BC and in the province of Saskatchewan has ricocheted right across the world. In fact, I had the pleasure—

**Mr. Lewis:** If it did, it's a pleasure.

**Hon. Mr. Bernier:** I had the pleasure of meeting with some mining industrialists from the UK and the first thing they indicated to me was: "Are the rest of the provinces going the route of BC and Saskatchewan?"

**Mr. Lewis:** I hope so.

**Hon. Mr. Bernier:** They said: "You are making us nervous." That nervousness is being felt in the investment areas of this world as it relates to Canada.

**Mr. Bain:** They want to get the resources for nothing.

**Mr. Lewis:** They want to be part of the old Tory giveaway.

**Hon. Mr. Bernier:** That's the turnaround that we have to get into, so I really share the concern of the leader of the Liberal Party with regard to the mining industry.

**Mr. Lewis:** Withdraw.

**Mr. Laughren:** That is why there are no new mines opening in Ontario, is it?

**Hon. Mr. Bernier:** For that very reason.

**Mr. Laughren:** What reason?

**Hon. Mr. Bernier:** The investment capital—

**Mr. Laughren:** They have no faith in Leo Bernier; that's the problem.

**Hon. Mr. Bernier:** I will go into that right now. The leader spoke of the Ontario Securities Commission and I have spoken about this publicly. I am concerned about risk capital that was available to junior mining companies years ago—prior to the Windfall days, I will admit, and I will admit publicly that there had to be some tightening up of the reins. The Ontario Securities Commission did this but it is having an effect. It is having an effect today because there are no junior mining companies to any extent doing any exploratory work. There is difficulty getting risk dollars. Some of the members referred to Wintario and the Provincial—these new lotteries. I am personally convinced that we have to slacken up and to loosen up and maybe readjust our thinking as it relates to risk capital.

As the Liberal leader correctly pointed out, a committee was established to review the regulations of the Ontario Securities Commission. That was headed up by my deputy minister, Dr. Reynolds. He has been looking at it for some considerable time now and he indicates to me that he will be reporting to the Premier (Mr. Davis), hopefully before the end of 1976, with his recommendations.

So along with the changes to the federal tax policies, we have adjusted ours. The member for Cochrane South (Mr. Ferrier) saw what our change in taxation policy did to

Texasgulf, how the massive industrial complex would be developed up there.

**Mr. Laughren:** He seems to be backing up all the time, Bill.

**Hon. Mr. Bernier:** The member is aware of it; he gets the direct benefits of it and I am sure he agrees with the changes that we brought forward.

**Mr. Reid:** He was all in favour of it at the time.

**Hon. Mr. Bernier:** That's right.

**Mr. Ferrier:** Away back when, but you were overly generous the last time. You gave away our resource.

**Hon. Mr. Bernier:** But it is there nevertheless. If we believe in doing something for northern Ontario, if we believe in developing those resources to the optimum benefit—

**Mr. Bain:** You are not doing anything in northern Ontario except for the companies.

**Hon. Mr. Bernier:** —of the people in that area, we can't talk out of both sides of our mouth at the same time, and that is what is happening.

**Mr. Bain:** The mining industry is controlled in northern Ontario by four mining companies.

**Hon. Mr. Bernier:** So, Mr. Chairman, these are the concerns that I share with the leader of the Liberal Party and I am glad that he has flagged them so eloquently. He also made mention of the Great Lakes fisheries programme in what he termed was some doom.

**Mr. Laughren:** Yes, you had better get off the mining industry.

**Hon. Mr. Bernier:** I just want to make it very, very clear that we are making great strides with regard to commercial fishing in the Great Lakes. Lake Erie, contrary to the opinion of many, is not dead. When you realize that 50 per cent—50 per cent—of Canada's fresh water fish—of Canada's fresh water fish—comes from Lake Erie, you can't tell me that Lake Erie is dead.

And the moves that we made to date have been beneficial. Now we see pickerel coming back on the west end of Lake Erie, under control. Perch are being managed on a tighter basis and we are seeing catches increasing. We are seeing a greater return. Sure, we went through some trying periods this last particular year, but we have asked the commercial fishermen to bear with us, we

have taken them into our confidence, we have shared the information with them and we are doing it in their interest—in their long-term interest—and they are co-operating with us and we are making real progress.

I might say that one just has to pick up the sports page of the Globe and Mail to look at the fish coming out of Lake Ontario, Lake Huron and the Saugeen.

**Mr. Haggerty:** The difference is that as the American government says they are not fit to eat.

**Mr. Chairman:** Order.

**Mr. Lewis:** The only reason we look at the sports pages of the Globe is to see a new and distinctive byline. Other than that, there is no particular sense to it.

**Hon. Mr. Bernier:** That's an interesting point you bring up. You all recall the state of New York banned commercial fishing, of course, and banned angling. Three days later they lifted that ban; very, very confusing. They related it to Myrex and some other contaminants in Lake Ontario; and of course just yesterday, or the day before, we read where they are planting X number of thousands of rainbow and coho and trout in Lake Ontario. On the one hand, how can you stop it, allow it, and then plant more fish? It is just very, very confusing.

But I think with the co-operation that we are receiving from the Ministry of the Environment in cleaning up the contaminants—particularly on the Canadian side, we are working very, very closely with them—we can look to some real improvement with regard to the fisheries, particularly in the lower Great Lakes. I say that with a great deal of enthusiasm.

**Mr. Chairman,** that pretty well winds up my comments.

**Mr. Lewis:** May I ask the minister a question relating to his comments? I will be very brief and it is really a request for information. You opened with reference, Mr. Minister, to the Reed Paper business. Can you clear up something for them?

The Environmental Assessment Board that will hear the submissions over the period of time you have allowed, does this public-private venture operate under The Environmental Assessment Act, The Environmental Protection Act; which is the route—of this concept?

[10:45]



**Hon. Mr. Bernier:** As I understand it, The Environmental Assessment Act hasn't been approved to relate to the private sector.

**Mr. Lewis:** Right.

**Hon. Mr. Bernier:** But it's our hope that it would follow the Act, so that all the points under the Act which they would be required to reveal would be done at those public hearings.

**Mr. Lewis:** But then the Environmental Assessment Board as you've struck it is the board that, at least in this instance now, operates under The Environmental Protection Act.

**Hon. Mr. Bernier:** Yes, right. And they would make recommendations to the government as it relates to the operation.

**Mr. Lewis:** I'm trying to remember, but in effect we took the Environmental Hearing Board out and replaced it with the Environmental Assessment Board in the recommendations, under The Environmental Protection Act. There are separate regulations for The Environmental Assessment Act, of course, and it is in itself a separate Act, but because this is a private venture, although done in conjunction with government at least in terms of the feasibility study, the Environmental Assessment Board will hear everything there is to hear under the terms of The Environmental Protection Act—am I right in saying that?

**Hon. Mr. Bernier:** Yes. That's our understanding. That's part of our agreement.

**Dr. Reynolds:** If I might, Mr Chairman and Mr. Lewis: The agreement that was signed yesterday, and which the minister referred to in the House—I don't know whether you've seen the agreement itself—

**Mr. Lewis:** I've got it in front of me.

**Dr. Reynolds:** —but it specifically commits the company to participate.

**Mr. Lewis:** I understand that, but under which piece of legislation?

**Dr. Reynolds:** I'm sorry, I can't answer that.

**Mr. Lewis:** That's what befuddles me about this whole deal. There is a terrific, a powerful distinction. At the moment it would appear that the Environmental Assessment Board must operate under The Environmental Protection Act in a case of this kind, and not under The Environmental Assessment

Act. That is a distinction of something more than just words. That is a distinction which is qualitative.

And I notice that you have avoided saying anywhere in the memorandum of understanding which Act governs. You have said that the Environmental Assessment Board will hear, and the minister's statement said that quite specifically, and I appreciate that. But you have failed to say which Act governs. My impression is that The Environmental Protection Act will govern this transaction, although I don't know. I simply assume that having signed the memorandum, you'd know.

**Mr. Stokes:** If I might just clarify it, you say: "The company has agreed to participate in a hearing of the Environmental Assessment Board of the Ministry of the Environment to determine, in a public manner, that a new pulp mill would be environmentally acceptable." You're talking about two different things—whether or not the pulp mill itself, that is the processing of fibre and the way in which they might do it, would be acceptable. What we're asking for is that an environmental impact study be done on the harvesting, by whatever means,

**Mr. Lewis:** That is part of it. You have a series of things.

**Hon. Mr. Bernier:** That is part of it, yes, there's no question about that. The forest management aspect as it relates to the forest will be part of that hearing process—the complex and the forest and the relationship to those people living there.

**Mr. Lewis:** You say in 4(b) that all of the studies will deal with those things. I'm not seeking embarrassment or anything, I'm really seeking information. Do you genuinely not know which Act is involved? Is that what you're saying—that you have in effect signed a memorandum of agreement setting up—

**Hon. Mr. Bernier:** My understanding of it is it'll be under The Environmental Protection Act, the one that will eventually ask the private sector to do those very things. It's not proclaimed, but they're doing it.

**Mr. Lewis:** Can I point out to you, though, in passing—I just want to point it out in passing because it won't fail to escape the attention of Reed—that the reason we put The Environmental Assessment Act in place is that that is the only Act which guarantees a certain kind of inquiry which is precluded under The Environmental Protection Act. We are bound by The Environmental Protection

Act, and the Environmental Assessment Board will be working under that Act, which is totally incompetent to do a job on a matter of this nature.

I just went and sat this morning with my colleague, Jim Renwick, and looked at The Environmental Assessment Act and The Environmental Protection Act. To do this study, this hearing, under The Environmental Protection Act, which I think you're bound by, is a travesty, because the protections are provided under The Environmental Assessment Act not under The Environmental Protection Act. Otherwise, it's a lot like a blessed hearing into a gravel pit or a landfill site. That's really what we have established here for the whole of northwestern Ontario.

And you have to write in—may I say with respect—you have to write into the memorandum of agreement, as an addendum at the very least, that The Environmental Assessment Act will govern, otherwise the hearings are a travesty. I say that genuinely. That's why we passed the Act. If you look at what The Environmental Assessment Act covers, it covers areas which The Environmental Protection Act doesn't touch, and yet you have walked into an agreement, even if it is tentative, preliminary, under an Act which places all of the questions—you take a look at your agreement on page five—all of the questions in the context of what benefits will derive but doesn't have the strength of The Environmental Assessment Act, which asks all the questions about what liabilities will emerge, what dangers, what hazards, etc.; the whole focus shifts. So we have an agreement entered into by the province of Ontario, with respect, with Reed Paper, setting up an Environmental Assessment Board under an Act which was designed for gravel pits.

It's crazy. I can't believe—forgive my putting it this way—that you would walk into that kind of thing without setting out in your agreement the factors which the Legislature agreed are absolutely mandatory in the field of environmental assessment. It's not there. It's nowhere there.

You don't know—I take the minister's word—he said he believes it's The Environmental Protection Act. I think he's right. You emasculated yourselves.

**Hon. Mr. Bernier:** We took the advice of the Minister of the Environment (Mr. Kerr) on this particular recommendation. It was his recommendation that we go this particular route. He knew what we wanted. It's our intention that all aspects of that whole opera-

tion be examined publicly as fully as we possibly can.

**Mr. Lewis:** I grant you that. I don't care what your intention is—

**Hon. Mr. Bernier:** That will be our intention. That will be it.

**Mr. Lewis:** Yes, but whatever your intention is, you are doing it under an Act which is totally incapable of handling this kind of situation.

**Hon. Mr. Bernier:** We will clarify that. We certainly will.

**Mr. Lewis:** You had better.

**Hon. Mr. Bernier:** We certainly will. Because it is our intention to cover every aspect. We will have all kinds of time and there will be all kinds of input and we want it carefully and fully examined, to the fullest, no question about that.

**Mr. Lewis:** I am raising it with you specifically because I think—

**Hon. Mr. Bernier:** I appreciate that very much.

**Mr. Lewis:** —you are precluded, and I—

**Dr. Reynolds:** Might I just add, Mr. Chairman, that I think it would be fair to say to the Leader of the Opposition that there was certainly no intention to avoid—and I think he used that sort of word—anything that would prevent this from being the most stringent examination.

**Mr. Lewis:** Aha! Agreed, but if you were going to make it stringent, Dr. Reynolds, if I may be so bold, then you write into your memorandum of agreement that the terms covered by the Environmental Assessment Act, set out in the preamble of that Act which talks about cultural matters, which talks about the impact on people, are included in the memorandum or in the addendum.

Remember, the Environmental Assessment Board is a quasi-judicial body governed by the Act under which it operates, and no one need kid himself that it won't be held to. You have emasculated the proceedings from day one by giving the board the authority under The Environmental Protection Act and not writing in the stipulations of The Environmental Assessment Act, which is a qualitative change in the way in which we look at the environment of Ontario. I think it was done this way because, in a hurried and impulsive and totally mindless fashion, you

move into this kind of study without recognizing the implications of what you are doing. With respect, it just wasn't thought through.

So I don't know whether you can ask them for an additional memorandum, but you have given to Reed not just a tract of timber but a stacked deck in its defence of the case.

**Hon. Mr. Bernier:** We have not given them a tract of timber. Let's make that very clear.

**Mr. Lewis:** Well, you've given them access to it.

**Hon. Mr. Bernier:** I'm glad to see Mr. Mosher here, because I made some comments earlier about his comments in the Globe and Mail and I would hope that he would read my comments.

**Mr. Lewis:** I thought your comments—and I didn't even hear them—were intemperate; imagine if I had been here. I thought they were entirely inappropriate because what the Globe and Mail said was exactly what happened. You'll give it to Reed if these studies are approved.

**Hon. Mr. Bernier:** But it doesn't read that way.

**Mr. Lewis:** You don't like the headline? Join with the rest of us. It's what happens from time to time.

**Hon. Mr. Bernier:** In the first paragraph.

**Mr. Lewis:** You grin and bear it. The story is accurate. What is not recognized, though, is that you presumptuous people, but excellent men I am sure, have entered into a memorandum which gives the company the power, whether you recognized it or not, and manages to avoid the one significant statute this Legislature has passed to protect the environment. And you lock yourselves in under an Act where, when you want to put a well in Canborough for the disposal of solid waste, you do it under The Environmental Protection Act; when you want to get a little gravel pit out near Erin, you do it under The Environmental Protection Act; when you want to have a garbage dump in Hope township, you do it under The Environmental Protection Act. Can you imagine alienating 18,000 to 19,000 square miles of land in northwestern Ontario under The Environmental Protection Act? And yet that is the basis on which the memorandum was drafted. It shows the absurdity and the lack of thought with which you approached this whole proposition.

**Hon. Mr. Bernier:** Mr. Chairman, I think this is perhaps a little out of order.

**Mr. Lewis:** I guess it is. And your memorandum of agreement talks about—

**Mr. Chairman:** Mr. Lewis, we will have to start on vote 2301, item 1—

**Mr. Lewis:** Oh, you don't have to; you don't have to be compulsive about everything.

**Mr. Chairman:** No, we don't have to, but we're going to.

**Mr. Lewis:** The more you read the memorandum of agreement, Mr. Chairman, if I might make one last point, as I am sure you would want me to, you would agree with me that the more you read the memorandum of agreement the more you recognize that the memorandum is confined in large measure to such things as whether it will pollute downstream and whether the smoke that comes out of the pulp mill will be deleterious to the environment? You mention a number of positive thrusts for your feasibility studies, but you have completely avoided the protections under The Environmental Assessment Act, which means that this friendly relationship with Reed predominates even in your memorandum. You shouldn't have—

**Hon. Mr. Bernier:** Mr. Chairman, I have to repeat again—and much of what has been said has been said a dozen times; I have said to you on many occasions—

**Mr. Lewis:** That you've given them nothing.

**Hon. Mr. Bernier:** —and I have said to this committee—

**Mr. Lewis:** Nothing, I know.

**Hon. Mr. Bernier:** —and it's on the record—that every aspect of that will be examined carefully and to the fullest extent.

**Mr. Lewis:** All right. May I just point out to you that this is Canada's national newspaper—

**Hon. Mr. Bernier:** I don't know.

**Mr. Lewis:** It says on page one: "19,000 square miles of Ontario timber awarded to Reed." That's what you've done, because you've set up a procedure which emasculates you.

**Hon. Mr. Bernier:** That is not what we've done.



**Mr. Lewis:** That's exactly what you have done.

**Hon. Mr. Bernier:** It is not. That is what you interpret it to be.

**Mr. Lewis:** Of course that is what I interpret it to be.

**Hon. Mr. Bernier:** That's right. You interpret it the way you want to interpret it.

**Mr. Lewis:** I interpret it as the facts reveal it.

**Hon. Mr. Bernier:** Well, those are not the facts.

**Mr. Lewis:** Even your memorandum doesn't allow for an appropriate assessment.

**Hon. Mr. Bernier:** You are entirely wrong. Don't distort and twist and mislead as you've done so many times—

**Mr. Lewis:** I don't think I am.

**Hon. Mr. Bernier:** —with anything you do in northern Ontario with regard to—

**Mr. Lewis:** I want to say to you, Mr. Minister—

**Hon. Mr. Bernier:** Get off the hobby horse—

**Mr. Lewis:** I wouldn't accuse the New Democratic Party of distortion, given the record of your ministry.

**Hon. Mr. Bernier:** Get off that hobby horse of no developments and no jobs in northern Ontario.

**Mr. Lewis:** You just think of the Ham commission in terms of the record of your ministry. This ministry isn't trustworthy to participate in this inquiry. This ministry isn't trustworthy to negotiate the deal, because you have sold us out every time.

**Hon. Mr. Bernier:** That's your opinion.

**Mr. Lewis:** I think we should get to vote 2301, Mr. Chairman.

**Hon. Mr. Bernier:** Who is running this show anyway?

On vote 2301, ministry administration programme:

**Mr. Chairman:** Is there any discussion on item 1?

**Mr. Stokes:** Yes. Mr. Chairman, I want to get to the main office, which deals with the general overall administration. Of course as

with all ministries of this government, and of most other governments, it is the responsibility of the minister and the main office to set policy for the Ministry of Natural Resources, not only to give the people down here in head office but the people out in the regions and in the districts some sense of direction as to how the government and the minister, in his view, think we should be going, whether it be in the field of forestry, whether it be land, whether it be fish and wildlife—any of the various duties and responsibilities of this particular ministry.

[11:00]

I have been accused of being a little bit intemperate in my opening remarks last night about some of the people down here who set the policy in head office. I have watched the Ministry of Natural Resources and its predecessor, the Department of Lands and Forests, and you have without a doubt, I think, the best and the most dedicated civil servants of any ministry I know of, certainly in this jurisdiction anyway. I've had occasion in the past to speak to your deputy and to speak to at least one of your assistant deputy ministers about the feeling that the people within your ministry have had since reorganization, as opposed to that esprit de corps that was showing and was so evident in previous years.

I'm the first one to realize that in government, as in any other field of endeavour, nothing stays the same. But I can report to you, if you're not aware, and to your deputy and to your assistant deputy minister, particularly the one that has responsibility, or at least chooses to operate out of northwestern Ontario, about that esprit de corps, that feeling of belonging to an organization that they can be truly proud of, that they can really be a part of, where their input is such that it's going to be meaningful and is going to have a profound effect on the good husbanding of our resources and good policies with regard to land-use planning, with regard to the wise use of resources and to making sure that we do have an overall forestry policy, all of the things that are the collective responsibility, I would like to think, of everybody within your ministry.

There have been some names trotted out. Anything that I said last night, you're quite right, was in the public domain, although it hadn't got the wide publicity and circulation that it gets when you say it here. But it is common knowledge, Mr. Minister and Mr. Deputy Minister, that things are not at all well in the Ministry of Natural Resources. I'm not saying this to be uncharitable. I'm

not saying it because I want to be malicious. It is an actual fact, because the ministry has become so large and so unwieldy and because of the activities within the ministry, for the very reasons that you mention. I was here for years saying that there should be great utilization of the allowable cut and that we should be getting better economic spin-offs from a renewable resource that we had in such abundance and which to a large measure was going unutilized.

There were times, even in my short tenure around here, when you were only using up to 50 per cent of the prime species and from 10 to 15 per cent of what former ministers chose to call the weak species. That isn't the case any longer. At the present time we're harvesting just over five million cunits. In 1972, you suggested that perhaps we should be looking at a figure of 9.1 million cunits. Now you're talking about 12 million cunits, and you're trying to do it with essentially the same kind of resources. Sure you can play with figures. You might have 252 foresters, 90 of whom are down here acting in an administrative role and the others are out in the field—

**Hon. Mr. Bernier:** There are 800 in the field.

**Mr. Stokes:** Directly associated with forestry?

**Hon. Mr. Bernier:** In the forestry field.

**Mr. Stokes:** I would question that. I'm talking about those who are directly responsible for the management of a forestry unit. I'm not talking about your emergency fire fighting forces and those areas. I'm talking about those who are responsible for carrying out a comprehensive forest management policy, when we get one, because you've suggested that—

**Hon. Mr. Bernier:** Forest management activity?

**Mr. Stokes:** Yes.

**Hon. Mr. Bernier:** There are 802.

**Mr. Stokes:** How many of those are foresters?

**Hon. Mr. Bernier:** I wouldn't know, but I can get that information.

**Mr. Lockwood:** About 250 are foresters.

**Mr. Stokes:** Yes, all right. In information that I made available to the committee last night, it's suggested that one forester is responsible for in excess of 100,000 acres.

When you compare that to other jurisdictions, I think you're being unfair to ask your unit foresters to be responsible for monitoring in a significant and realistic way what is going on in the forest.

I don't want to dwell on forestry to the exclusion of all else. We're dealing with the main office. What I want to talk to the minister about for a few minutes is this feeling within your own ministry—and I could trot out letters that I get because I have a good rapport with people in your ministry. It's not because they are trying to undercut you; it's because they are genuinely interested in and concerned with the direction in which we are going in the Ministry of Natural Resources. There is a genuine fear, a genuine apprehension, that anything they do goes for naught, that most of the decisions are made down here. You can call it whatever you want—whether it's a feeling that the ministry has just got too big and has become too impersonal—it's the kind of relationship in which the people who are out in the field just aren't being listened to and, notwithstanding their zealotness in seeing that things are done properly, it doesn't seem to make much difference.

I get letters—forgive me, Paul—from people in eastern Ontario who feel that as a result of the reorganization, notwithstanding the fact that your objective was to bring the activities of the Ministry of Natural Resources much closer to the people, in many instances the reverse has happened. In spite of their best intentions and your best intentions for reorganization, Mr. Deputy Minister, it hasn't had that effect out in the field.

As I say, it's not my intention to single out individual people and create the impression that you've got a few radicals within your ministry who are trying to upset the apple-cart and trying to feed information to the opposition to embarrass you. That isn't their intent; that isn't my intent. As I say, I have worked much more closely with the personnel in the Ministry of Natural Resources than any other ministry. I have the greatest respect for them but I suggest to you that you had better take another look at the regional level and at the district level.

Why don't you have a session at which you sit down with them? They are honest, sincere and dedicated people; and as a result of some of the information I made available last night you will find out they are not out to undercut you. At heart they have the best interests of the ministry and all of the resources in their charge. Sit down and talk

to them. Get your regional directors out or get your assistant deputy ministers out.

I don't have to conduct a witch-hunt for you. I am telling you all is not well in the Ministry of Natural Resources. Some of it may be beyond your control for monetary or financial constraints but I can tell you that you can restore that feeling of good will which was so prevalent in years gone by if you will sit down and not only talk to these people but what is more important listen to them. It's not a matter of dollars and cents with regard to the kind of feeling that a person gets, that one person gets, if he feels that what he is doing is something worthwhile. It's getting up to the assistant deputy ministers; it's getting up to the deputy minister. If you, who are primarily responsible for answering in a forum like this, will sit down and talk to the people within the ministry, I am sure you will get the same feeling of frustration that I get and the feeling that has been expressed to me by your people, your line people, your people who are out there who are trying to do a good job but, in spite of their best efforts, it's just not happening.

As I say, it's not just a matter of dollars and cents. It's a question of adequate and useful communication because those are the people who are interfacing with the public, the 8.5 million people across the province, and if they are placed in a position—let me give you a specific example: As a result of your reorganization, you have several assistant deputy ministers with specific responsibilities. You have regional directors who have been given specific responsibilities. You have assistant regional directors who have been assigned tasks. Where it really counts, that is, where the action is, you have district managers. They are all well-intentioned people, but let me tell you, you get a district manager whose background is fire protection—you know, forest protection. He's good at his job; he's good at what he was hired to do. But with the reorganization, you've got somebody who was trained in fire suppression sitting there and, whether it be the fish and wildlife person in that district, whether it be the forest supervisor in that region, or any of the people who work within that district office, they have to go through him. They can't even write a letter to the regional director or the assistant deputy minister, unless they go through that district manager, who monitors everything that is said.

Now, as well-intentioned as that district manager may be, he's not, in my view, competent to say whether or not we should be

spending \$30,000 or \$40,000 on a lake survey to explore the biological problems, say, in Lake Erie or in Lake Nipigon or in Lac Seul. He's not competent to say whether or not there has been proper forest management or proper monitoring of wood harvesting on a particular forestry unit. But that, in effect, is what is happening.

If the district manager is so disposed that he doesn't want to be called into the office to explain what one of his people is doing, he monitors. He says, "Oh no, that's much too intemperate. You must cut that down. I just can't allow you to send a letter like that out." The lines of communication in many instances have broken down.

As I say, I'm not saying this just to be uncharitable. That, in my view, is what is happening and I think that before too many months have passed, you should hold a series of meetings where you have these informal discussions, these little think tanks and ask the people out in the field as to how you might improve the co-ordination of the efforts.

It's not that they're trying to be malicious; it's not that they're kicking over the traces. They want to see the system work, and I think the only way it's going to work is if you go back to the people who are given the responsibility for fish and wildlife, who are given the responsibility for parks management, for all of the areas of recreation. The most important, obviously, is the forestry, because that's where the dollars are. I think that if you do that, you'll restore that sense of belonging, that sense of doing a job well. The fact is that it doesn't matter if he's a unit forester away out in the boondocks, he knows that the district manager is doing his darndest to make the system work, that the regional director is, that the assistant deputy minister is, that the deputy minister is.

I think if you took that approach before too long you'd see that feeling returning. I think even with the expenditure of just a few more dollars we'd have a much happier family and I think the results would be much more favourable than they are at the present time. That's what I wanted to say with regard to the administration.

One final point: You still haven't resolved what you promised me you would three years ago—that feeling of alienation that was felt with the reorganization in the mining sector. It's still there. Every time a decision is made with regard to land supervision, I still sense that in a good many areas within your min-



istry they feel as though they're still poor country cousins.

You've just got an executive director. That may be. Mr. Smith mentioned earlier the fact that all is not well in the mining industry in the province of Ontario. I sense all is not well in the mining branch of the Ministry of Natural Resources.

I'm not suggesting that because of reorganization of the ministry we've had a very profound fall-off in mining activity, but it is part and parcel of the whole thing. If you had a separate branch where they're allowed to do their own thing, the thing they're most competent to do, I think the results would be much more beneficial to the mining sector of our Ontario economy.

I still don't think you've really addressed yourself to that problem, the problem that you admitted was there, that was very real and that was something you were going to have to address yourself to. It's still there, and that's a part of what I'm trying to say with regard to this spirit of co-operation, the sense of pride that all of your people within this ministry once had. I don't think it's there any longer, but I think you can recoup it if you do something along the lines that I'm suggesting.

[11:15]

**Mr. Chairman:** Mr. Smith, did you want to speak to the same subject?

**Mr. R. S. Smith:** The same subject.

**Mr. Chairman:** Possibly the minister could reply to both later.

**Mr. R. S. Smith:** I think the minister will recall—

**Mr. Chairman:** I have Mr. Smith, Mr. Lane and Mr. Bain.

**Mr. Bain:** Oh, you're going to alternate?

**Mr. Chairman:** Right, is that all right?

**Mr. R. S. Smith:** I think the minister will recall that a couple of years ago when you moved into the new administrative setup I had quite a lot of remarks to make about the establishment of the regional areas, the removal of power from the local level, the changing of the district forester to become a district manager and all that type of thing. We had a quite lengthy discussion on it at that time. I found since then, similar to the member for Lake Nipigon, there has been a change in the attitude of the people who work in the ministry. I don't believe it's at

the regional level or above, but below that; the people who come face to face with the individual on the street and with the people who always thought—in northern Ontario at least—that Natural Resources was the face of government in that part of the province, and that has been the way for decades.

I think that disappeared and I was assured at that time that, of course, this wasn't going to happen, but I'm sure that it has. I think it's affected the morale of the people in the field who have a sense of insecurity in that they don't feel they have perhaps the same obligations, the same administrative responsibilities that they had prior to reorganization. I don't think there's anyone sitting here who will tell me that district managers have the same obligations and responsibilities over an area that the former district forester had. Much of that responsibility has moved to the regional level, and whether you like it or not, as far as the local level is concerned it's centralization. With centralization comes the moving away from the local level and with that moving away comes a reduction in responsibility and a reduction in the loyalty of the members of the staff toward the ministry itself. I think that's basically perhaps the same thing as Mr. Stokes was saying, only in different language.

These are the points that I made two years ago with you, and I don't think things have changed at all. I believe many people, because of the reorganization, were uprooted. Many of the people felt their jobs were now only to rubber-stamp what was sent to them from the regional level or to send to the regional level to get it rubber-stamped. I don't think they have the responsibility toward the resource they're managing that they had before, and I think in that respect they've lost not only the sense of responsibility but also the sense of really caring as to what goes on. I don't blame them for that. I just see that as a major loss when one centralizes as your ministry has done.

Your ministry at the time said it was decentralization into regional levels and that there was a movement from Queen's Park out to the regions, but in fact it was a movement from the district forest level to the regions. You may have had some decentralization from Queen's Park but you had as much or if not more centralization from the districts to the regions.

In my area, for example, you couldn't even decide where to put the regional office, simply because of political pressures on both sides so you decided to put in two areas. You can't even put them both together. You've

got to split them up between the Soo and Sudbury. We realize the Soo may have a member who belongs to a certain party and Sudbury may have members who belong to other parties but I don't come from either area so I can be rather non-partisan in this thing. I can say that obviously the only place to put it was in the Soo or in Sudbury regardless of what the political implications were. I say that as a person from North Bay who might be criticized for that.

If one looks at the geography of the area that was the only decision which could be made. The fact that some of them are in the Soo is almost ridiculous and indicates what type of reorganization was taking place. One wonders whether it was for the good of the ministry or the good of the political situation that existed. I don't know what can be done now.

The member for Lake Nipigon indicates that perhaps it's time that you and your deputy minister got into the regional levels and the district levels, met with the people and tried to bring back what was there seven or eight years ago. This may work; it may not work. Perhaps it's time you looked at your reorganization and satisfied yourself that it has been either successful or unsuccessful and, if it has been unsuccessful, take the lumps that come with admitting mistakes and move back slowly perhaps to the older system which had proved so satisfactory over the years.

In my specific area, in the region I live in, we had one meeting, a land-use meeting and it was really a farce. There were as many people there as there are around this table, trying to decide or even trying to start to decide where to start on a land-use policy for an area from Sault Ste. Marie to perhaps the borders of Parry Sound. That's a job which I don't think can be done by 25 or 30 people around the table over any length or period of time. I think after one meeting even the ministry decided that it was a waste of time. It was a farce because the committee has never been called back again and that was nearly two years ago.

**Mr. Ferrier:** Mr. Martel and I were on one—

**Mr. R. S. Smith:** Yes, Elie Martel was represented on the one in Sudbury as well at that time. He's not here but I'm sure he would agree with me that we walked out of there thinking "If it keeps on it will be a complete waste of time."

As a result there's been really no land-use policy development in that whole specific area

that I know of, unless it's being done behind closed doors by a very few people. That's only one example of what you lose when you try to regionalize something that isn't akin to that type of government.

I make these remarks perhaps in support of what the member for Lake Nipigon has said but remembering, too, that I did make them two years ago perhaps in a little different tone and in a little different way. I think experience has shown that the whole damn system hasn't worked at all and I think it's detrimental to your ministry.

**Mr. Lane:** Mr. Chairman, I don't know that this particular discussion should be under this particular vote, but seeing that we're talking about it I would like to interject to some degree. I have to agree with what the member for Nipissing and the member for Lake Nipigon have said. There has been talk that nothing has been accomplished, we're going in the wrong direction and so forth. As a matter of fact when I spoke to the chamber of commerce in Sault Ste. Marie last summer, I heard those very words—that we are no better off now than before and the decisions are still made in Toronto.

However, I personally have gained a lot with that redistribution or decentralization or whatever we want to call it, because I got a district office in Espanola and before that we were always served out of Sudbury.

**Mr. Foulds:** Certainly reinforcing Mr. Smith's argument.

**Mr. Lane:** I think that the fellows in the Espanola office have done a tremendous job and certainly under hostile conditions in some cases.

If I could just have a moment to explain how some of these things have come about, you are probably aware that Manitoulin is a reasonably good deer hunting area. Deer were being depleted at a pretty rapid rate under the method of hunting that we had in olden days with hound dogs and two and three weeks of a season and so on. We had two factions of people who were unhappy. One faction was unhappy that the deer were disappearing and one faction was unhappy that the hunter was disappearing. Some people wanted to keep on hunting that two weeks and other people wanted to close off the season altogether.

These guys from Espanola came to Manitoulin Island and took interested people into the deer yards to show them in the west part of the island that we were wintering all the

deer that we could possibly hope to winter and that we should be hunting deer to a fair degree in that area. Also on the east end of the island there were not sufficient deer. There were places where there was more feed than would be utilized and there weren't sufficient deer.

They suggested that we have a five-day season in the west end and a three-day season on the east end of the island. Well, some said it just couldn't work. They didn't think it would work. It works wonderfully. We have had it three years now and it just works wonderfully. Everybody is happy. The deer herds are being maintained. The hunter is getting a reasonably good kill and it works out wonderfully well.

That is one of the things that these people in Espanola were able to accomplish through being a district office rather than a Sudbury office. The regional office was farther away from us and not quite so concerned about the immediate problems. Another situation that I was greatly concerned about was the relationship between the ministry people and the Indian bands in the areas. Lake Manitou is a tremendous trout fishing lake and during the spawning season the Indian people were apparently taking trout for sale out of this lake. This was a matter of great concern among many people because it brought a lot of tourists and they felt it was being depleted illegally. There were some charges laid against some of the native people. There were some convictions registered and there was a very hostile situation arrived at.

It looked as if maybe it couldn't be reckoned with but our game and fishery officer had enough knowledge of what was required and had the stamina to stay with it and talk to the Indian people and so forth, and really that's been the greatest thing that ever happened. Now we have a programme going where the Indian bands are looking to the ministry to assist them with the planning of it, where instead of taking trout in spawning reason out of Lake Manitou, they will take whitefish, and everybody is happy.

These kinds of things have happened as a result of getting that district office in Espanola. While I know the two members who have spoken before me have certainly had some flak, as I have had from some areas, in my own area it has been a heck of a good thing. I just want to give a vote of thanks at this time to those guys at that office for the tremendous job they are doing. I have yet to hear them complaining about not having good liaison with the minister or with the deputy minister.

Granted, when sometimes I talk to them about things I want to have done there, they say they would like to do it but of course they haven't got the funds. That's more my responsibility than theirs but I do touch base with them regularly. They are very helpful. They are doing at least a heck of a job, and I certainly would be amiss if I didn't say that at this point in time.

**Mr. Bain:** I have a number of items that I would like to deal with but I will put most of them under—

**Mr. Chairman:** Did you want to discuss this one particular matter?

**Mr. Bain:** Yes. I put most of them under vote 2301, item 2, instead. Under this particular item, talking about reorganization, I was quite surprised to hear from the member for Lake Nipigon that the aim of reorganization was to bring services closer to the people because you sure didn't do that. The people in northern Ontario don't feel that was the aim because they have had services withdrawn. I can go through a long list of community after community that has had a facility closed by the Minister of Natural Resources.

[11:30]

The regionalization of your ministry, I think, was very detrimental. You could create more district offices, that was a good idea, but you didn't need those regional offices. There are too many situations where people go into a district office or a sub-office and when they ask the person a question, that person cannot give him an answer, it has to go to the regional office—you know, simple enough things that should be able to be decided by a district manager.

The doing away with the Department of Mines, I think, was a big blow to the mining community in northern Ontario. I just don't understand how any member from northern Ontario, whether he be on the government side or any other side, would have been able to countenance that.

You have a situation where a number of mine recording offices were closed because of this regionalization. I always assumed that those mine recording offices were closed because they were not profitable, they were losing money, but of course such has not been the case, they were closed because of the deliberate policy to regionalize these offices. I am thinking in particular of one in Elk Lake and one in Haileybury.

The prospectors in my part of northeastern Ontario are people who do it on a part-time



basis. Many of them are prospectors who have been in the field for quite some time and they prospect on the weekends or when they have a holiday and they like to be able to go in and record their claims or get the latest blueprint or get their tags or whatever after their work or when they get off work early. They can't do that any more now that these mine recording offices are closed. The people in the Elk Lake area have to go to Kirkland Lake, which means they pretty well have to take a day off work. Even worse, the people in the Cobalt area have to go to Sudbury to get to a mine recording office and that is just not realistic.

Many prospectors go into the bush and prospect because they enjoy it. Many of them will not bring in a bonanza and they just can't afford to take days off work every time they need up-to-date information, every time they need to record a claim. I think in the past, if you look at your records, you will find that many of these people, because there were so many in the field, did bring in good mines. But you have done away almost entirely with your independent prospector. There are very few of them left and those who are left are very upset with your ministry, to say the least.

I would think you should re-establish the mine recording offices in northern Ontario if as you say your aim is to bring services closer to the people. Mine recording offices in local communities—how can you justify not having a mine recording office in the Cobalt-Haileybury area? After all, northeastern Ontario is one of the places where mining got its start. And you expect the people from Cobalt to go to Sudbury for a full-fledged mine recording office? It is totally ridiculous.

I would appreciate very much the minister's comments and some indication of when he is going to decentralize the mine recording offices, and re-establish some of them. Build up instead of tear down.

**Mr. Haggerty:** I have listened to the minister's remarks covering the wide area of his ministry and as usual the minister has expressed himself well; everything is running smoothly and taking its normal course. Whether or not the minister's background is of divine nature, the benevolence of this province is at his fingertips and the stroke of a pen can signal the economic growth of the province of Ontario or its failure.

I attended the seminar at Lakehead University in late August and I was interested in some of the comments, some of the conversations that took place, some of the briefs

that were presented by the different professional foresters in Ontario and throughout the world. The record, I think, stands for itself when one of the professors, Professor Hearn-den, had stated that the Lakehead forestry convention there indicated a 52-year history of mismanagement and neglect of Ontario forests by both industry and government.

**Mr. Chairman:** Are you discussing forestry management?

**Mr. Haggerty:** No, this is policy, administration.

**Mr. Chairman:** It may be policy but it should come under forest management then.

**Mr. Haggerty:** Pardon?

**Mr. Chairman:** If you are going to discuss—

**Mr. Haggerty:** No, I don't think it is, we've gone through this now with the previous lead-off speakers and even the leader of the—

**Mr. Chairman:** Vote 2304, item 2, is forest management. Now, what we were discussing was head office.

**Mr. Haggerty:** Head office — this is the policy. This is what I'm trying to get at. If the Chairman just holds his seat for a few moments, we'll get into it.

**Mr. Chairman:** Okay. Go ahead.

**Mr. Haggerty:** To continue: To back up these remarks, the forestry professor made it clear that royal commissions and studies had been saying since 1924 that proper forest regeneration techniques must be used if Ontario is to continue to maintain its forest in the future.

Last year the minister stated to this committee that the main objective of his ministry's forest management programme is "to protect and manage forest resources to produce economic and social benefits for all the people of the province." He went on to say: "Provincial expenditures will ensure adequate forest resources for meeting future industry and recreation needs . . . (forest management) requires not only long-term planning, but also large capital investments with long-term payoffs." That is quoted in Hansard at page 996, where he went on to say: "It is important to recognize that forests are renewable resources only when the trees harvested are replaced." I think the record since 1972-1973 certainly indicates that the ministry has a backlog in terms of reforestation of the cutover lands in Ontario.

Like other members who have stated they were at the convention in the Lakehead, I had the opportunity to go out and inspect some of the site holdings. I was particularly interested in the itinerary that was set up for the members to visit the St. Lawrence licence—that's Domtar—in the area of Fort William. I might say that I think you had one particular forester there who, with his background and interest in it, certainly sparked quite a discussion period that day. He showed us some of the sites that had been cut over in the past number of years. I was interested in one particular site he showed us where they had used modified strip cutting and in the success of this particular forester; and yet he informs me that he has difficulty in trying to get the industry to go along with strip cutting.

I would like to ask the minister just what is his policy on strip cutting and complete cutover. When you looked at the sites where, just recently, say in the last two or three years, there had been strip cutting, you could see the regenerated trees coming back through normal growth. He also showed us areas where trees had been planted by hand but which were not that successful.

I think the comments of the member for Lake Nipigon, when he was reading from a number of the briefs that were submitted at this conference, certainly outlined the lack of sound management of forestry in Ontario. I'd like to have the minister's comments on those points.

**Mr. McClelland:** I don't have a speech to make, Mr. Chairman. I had a couple of questions that I wanted to ask the minister respecting the particular interest that I have in this ministry. My concern is around native peoples and I have a number of things I want to pursue later in the estimates.

I simply want to try to get some understanding of the relationship between the Chairman of Cabinet (Mr. Brunelle), who I understand has a special responsibility within the cabinet as the cabinet co-ordinator for native Ontarians—I'm not sure of the exact title—between him and this ministry and the minister.

How does he have access to the ministry when he has a problem that involves a number of separate jurisdictions or a number of separate ministries within the government? How does he approach your ministry to secure your co-operation and your collaboration in terms of resources that are required around a particular project? Is there a cabinet co-ordinating committee that deals with this? Or how does it work?

**Mr. Chairman:** Do you have any other questions?

**Mr. McClelland:** It's kind of awkward. Could we deal with this in about a minute and then come back to the full answers to the number of policy questions that were raised? It is kind of hard to banter back and forth.

**Mr. Chairman:** I think I will just stay with the policy and then answer your question along with it.

**Mr. McClelland:** Okay, well, why don't you deal with the other speakers and then finish up with mine, because it's just for clarification?

**Mr. Haggerty:** You are assuming his answers will be satisfying.

**Mr. McClelland:** Well, I am sure they won't, but when you finish with the others, since I am the last to speak, I would be quite happy to be the last to be answered.

**Hon. Mr. Bernier:** Mr. Chairman, and gentlemen, if I can just briefly touch on the points that were brought up—and I do appreciate the interest and the concern that has been expressed by the members with regard to my ministry. I have to admit that the member for Lake Nipigon spoke like the member for Lake Nipigon that I knew in the past. I know his involvement and that his words were truly his words this morning and I thank him for them, because I know how he feels about the Ministry of Natural Resources and his close working relationship with the people in my ministry.

It did give me some concern—I would be dishonest if I didn't say it—that reorganization has been difficult at times. I think one has to realize in this modern period when you are trying to bring more services to more people with no increase in complement; I think that is one of our problems, budget constraints. We moved from 21 districts to 49 districts; moved from four regions to eight regions. There is going to be dislocation of people; families don't like being moved; there was a shortage of housing in many instances. Classifications were slow in coming through the Civil Service Commission. You know, all these things piled on top generated a certain unrest that I strongly feel now is dissipating; it's moving.

I think the esprit de corps to which the member for Lake Nipigon referred in the old Department of Lands and Forests is coming back. There is no question it's coming back as I move around the province and meet with the staff—and I know that the deputy

will have something to say about this, because he has travelled extensively throughout the province in visiting all the various regions and I think practically all the district offices.

So in our effort to bring more services to more people, and the disruption and dislocation of people, we are going to go through a period of complaint, I suppose you might say, or dissatisfaction. But I know in my own particular area they are now settling in, the families are comfortable. They are attending school and it's back to normal, kind of thing. I think we are on the right track.

It's not easy bringing two ministries together. The old Department of Mines had a certain esprit de corps; the old Department of Lands and Forests had a very strong esprit de corps. In bringing them both together of course the pride of both those ministries has to be spread into a new ministry, and there is just no question about it. But it is coming, there is no question, and we are not blind to the situation at all, because the deputy and I and our senior staff have discussed this with the people in the field to great length in many instances as to how best we could come to grips with the situation that I feel strongly is righting itself.

I won't accept the fact that it's not working, as one of the members put it. I think the member for Algoma-Manitoulin clearly indicated how well it's working in his particular area. I know in my own particular area, the people in Red Lake had to travel about 200 miles to Sioux Lookout to get a land-use permit, to get a small district cutting licence. Now they do it right in their own backyard; the office is there at Red Lake. People at Ignace—where's the member for Rainy River?—used to have to go to Sioux Lookout; they used to travel about 125 miles. Now they have an office right in Ignace. From Atikokan you used to have to go to Fort Frances; now that's available right in Fort Frances.

Just this summer we opened up a new facility in Ignace, the first in northern Ontario, the first district office—the new district office that will house the Ministry of Natural Resources. We have a new one opening up in Dryden very shortly.

So we are getting things pulled together. It's going to take time, but the quality of people we have in the Ministry of Natural Resources now, as the member for Lake Nipigon points out, is tops in the government. I am pleased and proud of that. Certainly I intend to continue the efforts that I have made at my level and I know that I

will speak for the deputy, that he feels the same way I do, that discussions will go on and we will get a working feeling with the entire staff:

[11:45]

On clear-cutting policy—I believe the member for Erie raised it—have you seen this—Proposed Policy for Controlling the Size of Clear Cuts in Northern Forest Regions of Ontario? This is our policy document, the one that was released in June, 1976, the one we've circulated among the industry to all those interested and have asked for their input. What it will require is some real leaning on the industry itself to co-operate with us with regard to strip cutting, modified cutting and a number of other new modern techniques by which natural regeneration can be accelerated.

There's going to be a cost to it. Let's be honest. There's going to be a cost and that's what we're working out with the industry right now. We hope that when the input is in we can come back to our own staff, our own field staff, our own head office staff, and establish a policy with regard to this particular field.

**Mr. Haggerty:** But where it has shown that modified strip cutting has been successful, why should there be too much objection to it? I know that your forestry staff have perhaps endorsed this type of a cutting programme and yet they're having difficulties with the industry, trying to convey the message to them that this is the best.

One of the concerns is that now the province is responsible for reforestation, regeneration, in the province of Ontario, they feel that this costs less and does a better job in providing second growth. On the evidence that was shown to us that day, I would have to agree with it.

It may cost the industry a few dollars more to put the roads in but I still can't see the costs they gave—about \$60,000 or \$70,000 a mile or something like that. You can build roads, hardtop and asphalt, for that cost as county and rural roads in Ontario and I can't see it when you have the resources, the gravel, right there. All it takes is a machine to put the road through.

I would say that in this particular instance I think your forester is doing an excellent job on this particular site. I think he should have more assistance perhaps through the other arm of your ministry.

Again, I think the matter was raised that you do have a district office in Thunder Bay



but the decisions are not made there; they're still made here in Toronto. This is what upsets many of the personnel working in the field out there. They feel that that's not good enough.

**Hon. Mr. Bernier:** Getting back to this issue here, I think we have to realize that we're into a new modern era. The day of the old buck saw and the axe is long behind us. Now we're into power saws, we're into modern tree farmers and—

**Mr. Haggerty:** To get one tree you destroy about 50 of them getting there.

**Hon. Mr. Bernier:** That's right. These big machines are going into these areas and some of the timber is not taken; it's just knocked down. It's a whole new world that we're in. As I pointed out in the comments of the professor from Sweden, they're having the same concerns. They're grappling with the same problem. They're not ahead of us. They're sharing their concerns and their findings with us.

**Mr. Haggerty:** I think one of the professors, discussing the problem of Sweden, though, said they've already had their second and third cuttings of timber in Sweden, whereas in Ontario we're still in the exploitive stage.

**Hon. Mr. Bernier:** Much more timber is, of course—

**Mr. Haggerty:** You're talking about or you recommended in your press release yesterday—your statement in the House—that you're looking for 5,000 new jobs in Ontario in the forest industry. If you don't have a good programme of reforestation you're not going to have the jobs by the year 2000.

**Hon. Mr. Bernier:** We realize that very much and we're working to those goals, I can assure you.

If I can respond to the question of the member for Bellwoods. You were asking about our responsibility, our liaison, with the native peoples' organizations. Within the government?

**Mr. McClellan:** Yes, within the government. What I'm curious about and what I can't understand is how the government has structured itself to deal with the issue of social and economic development for native peoples' communities.

**Hon. Mr. Bernier:** As you know, the chairman of that particular group is Rene Brunelle, the Minister without Portfolio.

**Mr. McClellan:** What is the group? Is it a cabinet committee?

**Hon. Mr. Bernier:** It's the co-ordinating committee on Indian affairs. Do you have the official title of that committee?

**Mr. Herridge:** Mr. Brunelle chairs the Advisory Committee on Indians, which has as representatives on it the three deputy provincial secretaries, Dr. Reynolds from our ministry and Mr. Stevenson, the senior assistant deputy minister from TEIGA, as well as Indian community secretariat representatives, and their deputy minister, Mr. Johnston.

**Hon. Mr. Bernier:** Now there is a co-chairman, John Yesno.

**Mr. Herridge:** That is another level. The joint steering committee is a committee that reports directly to cabinet through Mr. Brunelle. That committee is made up of, again, the three deputy provincial secretaries and the president of the four major Indian organizations, Mr. Rickard, Mr. Copenance, Mr. Roy—I've forgotten the other name. It is co-chaired by Johnny Yesno, a native person, and reports directly to cabinet and is the senior body through which Indian matters reach the cabinet. The other body is the advisory committee that is chaired by Mr. Brunelle and is a body of senior officials.

**Hon. Mr. Bernier:** They meet on a very regular basis.

**Mr. Herridge:** That is correct.

**Mr. McClellan:** The advisory committee meets on a regular basis? How regularly? How often do they meet?

**Mr. Herridge:** The advisory committee meets approximately every two weeks. The joint steering committee of the senior Indian officials and the senior civil service officials meets approximately every three or four months.

**Mr. McClellan:** Just one follow-up: Do you have structures within your own ministry to deal with the co-ordination and planning of policy and projects with respect, in your case, to economic development for native peoples?

**Hon. Mr. Bernier:** Not specifically, no. We deal with their problems as they come to us, as we deal with problems right across the province from other groups, only we don't have a structure dealing solely with the resources aspect for native people. If there's

an issue dealing with commercial fishing, it goes to our commercial fishing director. Trapping would go to the individual responsible, as it would from any other community.

**Mr. McClellan:** It goes up to cabinet and then back down to you? Let's say there's a community that's interested in setting up a commercial fishing venture and they're trying to get a licence and there's some problem with it. I would assume it would go to the advisory committee, then to the joint steering committee, then to the cabinet and then back to your ministry?

**Hon. Mr. Bernier:** No. That item would go directly to our ministry, right to the district manager, to the region. If there's a problem, then it would work up to the assistant deputy minister for northern Ontario.

**Mr. McClellan:** What about the broader issue of the accessibility of commercial fishing licences to native communities? As a policy matter, how would that be handled?

**Hon. Mr. Bernier:** Policy matters would likely be brought to Mr. Brunelle's attention and worked that way—dealt with at the advisory committee level.

**Mr. McClellan:** And then up to cabinet and then back to your ministry?

**Hon. Mr. Bernier:** Yes, to which my assistant deputy minister is in attendance.

**Mr. Wildman:** What co-ordination is there? Let's say an Indian community gets assistance from the Indian community secretariat for the construction of a sawmill, for instance, what co-ordination is there with your woods managers? I have a case where that was done with one reserve and the forester in the district office was unaware of it and there weren't timber limits available. We have one agency of government giving aid to the building of a sawmill and another in charge of timber exploitation not being aware of it.

**Hon. Mr. Bernier:** I'm surprised that would happen because I know I can refer to my own particular area where, when the Indian community secretariat makes funds available, say, for a tree farmer or other wood harvesting equipment, one of the first things they do is contact our district office and learn where the wood allocation has been made, the length of that particular stand, and how long it would take to harvest it, so that the information is available at the district office.

**Mr. Wildman:** When I contacted the district office they were unaware of the agreement with the Indian community secretariat.

**Hon. Mr. Bernier:** That shouldn't be the way it is because the wood allocation is left to the ministry. Then once they have a district cutting licence where they can harvest X number of cords of wood per year, they usually take that proposal and go to the Indian community secretariat for funds for equipment. That's the normal sequence. So this must have been a backward approach.

**Mr. McClellan:** We'll come back to that, Mr. Chairman, around some more relevant items in the vote and see how it works.

**Mr. Haggerty:** I wanted to ask the minister one more question; it relates to this trip to northwestern Ontario. Concerning the issuing of licences to, for example, let's say Domtar, the St. Lawrence licence there—we went through a small Indian community there and entered into discussions on the little bus they had. I asked how many Indians were employed in the forestry industry in Ontario. The forestry person in charge in this particular site said: "Here is a group of good, ambitious Indians looking for work but they cannot work in this particular site, based upon the present licence that was issued." Apparently there is agreement between the industry and your ministry that there must be union personnel employed.

**Hon. Mr. Bernier:** Not with our ministry.

**Mr. Haggerty:** It might be an agreement, let's say, within the industry itself that they have to be union employees.

**Hon. Mr. Bernier:** It could be the union. It's nothing to do with us.

**Mr. Haggerty:** I thought this was damn well ridiculous, that our first citizens in the Province of Ontario would have to be treated in this manner—that they would have to belong to a union or sign a document. I suppose the faith that the Indians have in the signing of any document with a white man isn't too good at the present time.

I feel that these persons should be given consideration. For example, if you are issuing this licence to Reed, that clause should not be put in there, so they are not being discriminated against and they have a choice of employment.

**Mr. Bain:** Have you talked to the Indian people?

**Mr. Haggerty:** There are some Indians working in the industry who belong to the

union but this particular group didn't want to belong to it, because they—

**Mr. Bain:** Did you get that from them or third or fourth hand?

**Mr. Haggerty:** I got it on that tour up there.

**Mr. Lane:** You got it from a good source.

**Mr. Haggerty:** A good source. And it was well discussed on the bus, wasn't it, John? I feel that our first citizens shouldn't be treated this way and there should be some provision in any licence that they don't have to belong to a union.

**Hon. Mr. Bernier:** I am aware of that particular situation. In fact, I agree with your comments. I have already taken it upon myself to write personally to Tilio Mior, who is the president of the lumber and sawmill union in Thunder Bay, asking him in his negotiations with the companies if he would consider special situations for native peoples as it relates to being—

**Mr. Haggerty:** It should be there.

**Hon. Mr. Bernier:** I have done that in the last few months.

**Mr. Haggerty:** I appreciate that.

**Mr. McClellan:** Let me just pursue that, if I may. I am not too enthusiastic about Mr. Haggerty's suggestion for using native people to bust unions, if that was the intent.

**Mr. Haggerty:** I didn't suggest that at all. They have a right to employment in Ontario.

**Mr. McClellan:** Right, that's the point that I wanted to pick up on and to ask the minister—I intended to raise this later—whether you have considered the use of affirmative action clauses in your relationships with the timber companies as a condition in the granting of licences. It seems to me that we are going to have to start taking a pretty serious look at the question of employment opportunities for native people, particularly in northeastern and northwestern Ontario. One way that your ministry could approach that is by insisting on affirmative action clauses as a condition of receiving timber licences and other concessions.

**Hon. Mr. Bernier:** I don't know if that is the route to go, quite frankly. I would like to lean on the labour unions. They should give—

**Mr. Haggerty:** There shouldn't be a closed shop, let's put it that way. That's what I'm getting at.

**Hon. Mr. Bernier:** Yes, I thought that is what you were getting at. It is causing us some concern. The approach that we have taken is to ask the president to consider—he's a very understanding individual who knows northern Ontario and I am hopeful he will go along with my suggestion.

I want to point out that we have an excellent relationship with the companies as it relates to carving out district cutting licences from their existing licences and giving them to the native peoples—where the wood is taken and harvested and sent to that particular mill.

It does cause us some concern. The union will say that if you are taking a chunk out of, say, the Great Lakes Paper licence and giving the company the first right of refusal in essence you are breaking the union. We don't want to get into that.

**Mr. McClellan:** I am sure you don't.

**Hon. Mr. Bernier:** It's not our role; really it is not our role. We would like it more on a negotiated basis. That would be the route we would encourage it to go, really. We'd like it to go that way.

**Mr. McClellan:** You haven't explored in any serious way the development of a more formal kind of affirmative action?

**Hon. Mr. Bernier:** I think that would be interfering and locking something in that could be negotiated, really, with a little understanding; rather than for us to get involved—the big arm of government saying: "You have to do this and you have to do that." The same thing could be accomplished with people with a common goal and negotiated in understanding.

**Mr. Chairman:** It's now 12 o'clock.

**Mr. McClellan:** Let me just say in five seconds, if you could keep a record of your success rate around the intents to negotiate I think that would be very useful to all of us, in terms of the negotiations and the number of folks hired.

**Hon. Mr. Bernier:** Sure.

The committee recessed at 12 p.m.



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 Lockwood, J. W., Executive Director, Division of Forests  
 Reynolds, Dr. J. K., Deputy Minister









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# Legislature of Ontario Debates

SUPPLY COMMITTEE—1

ESTIMATES, MINISTRY OF  
NATURAL RESOURCES

OFFICIAL REPORT — DAILY EDITION

Third Session of the 30th Parliament

Wednesday, October 27, 1976

Afternoon Session

Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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# LEGISLATURE OF ONTARIO

## SUPPLY COMMITTEE

WEDNESDAY, OCTOBER 27, 1976

The committee resumed at 2:15 p.m. in committee room No. 1.

### ESTIMATES, MINISTRY OF NATURAL RESOURCES (continued)

On vote 2301, ministry administration programme:

**Mr. Bain:** I have one follow-up question to what I mentioned earlier. I was wondering if the minister is going to consider reopening some mine recording offices across the province so these communities have easier access to them, and somebody in Cobalt doesn't have to go to Sudbury to record a mining claim?

**Hon. Mr. Bernier:** I might ask the staff to clarify this but it was my understanding that the district offices now could perform many of the duties and responsibilities—

**Mr. Bain:** I specifically said record a mining claim. You can't record a mining claim at a district office.

**Hon. Mr. Bernier:** You can get your tags. You can get all the information with regard to a prospector's licence.

**Mr. Bain:** No, you can't. If you went to a district office you would know more than the person serving you inevitably. District offices don't have people who know anything about mining.

**Hon. Mr. Bernier:** Here is the deputy. He has some information.

**Dr. Reynolds:** Perhaps there are two or three things that should be said. First of all, one or two or, I think three offices, which were closed were closed prior to the establishment of the Ministry of Natural Resources. Three of these were actually closed during the regime, if you like, of the Department of Mines and Northern Affairs. These three closures cannot be attributed to the new organization we now have in place. These date back prior to that time.

**Mr. Stokes:** It has had the same effect.

**Dr. Reynolds:** It is and it isn't, Mr. Stokes, because prior to the closing of those three there were 12 offices where all of this could be done; that is the recording could be done. Three of them, including Cobalt, were closed; and this goes back several years, five or six years. That left nine as against 12. But in addition to that we now have an additional 29 offices where you can do everything except the actual recording, and even there you can make application for the recording.

**Mr. Bain:** But, as I said, there is nobody in those district offices who knows anything about mining.

**Dr. Reynolds:** They may not be miners or have a background in mining but they really have all the information and ready access to it. I don't know what there is that they cannot provide.

**Mr. Bain:** You can't get an up to date blueprint; and of course you can't record a claim, either. When you go into a district office inevitably, unless you are a pretty poor prospector, you know a lot more than the person there.

A prospector wants to go into a mine recording office and do his business and get information and find out what the score is. He wants to talk to somebody who knows something about mining. This was a valuable service offered by the mine recording offices when they existed in greater profusion than they do now.

You could go in there and you could talk to an expert in the field. You could get your information. You could record your claim. You could get up to date blueprints; you could get your tags. You could get everything and you were completely served by this; but now it's such a hodge-podge that it's totally inadequate.

**Dr. Reynolds:** I guess I won't comment on your word of hodge-podge, but really there are nine offices which offer exactly the same service, plus others at the present time. It's



only been a reduction from, superficially, 12 to nine; but added to that are 29 additional offices which formerly carried no information about mining. According to my information they have up to date maps; they have tags and they have licences. They have a variety of information about how to stake claims. They have geological maps, they have mining Acts and so on. There may be some elements which are missing, as you say, and I can't really answer that, but I'm advised that there are not in those 29 offices. I would remind you, with great respect, that nine of the offices still have exactly the same people in the same areas as before. It was surely a net gain?

**Mr. Bain:** If you go from 12 to nine it is not a net gain.

**Dr. Reynolds:** It's a net gain if you go from 12 to nine and add 29.

**Mr. Bain:** The 29 is really zero because they are not adding the service. I agree with you that the existing mine recording office, for example the one in Kirkland Lake, is offering the same services that it did before. It is an excellent office and I can echo what Mr. Stokes said earlier, that the staff working for the ministry, whether it be in the mining section or in the forest management section, are excellent people. That's not my quarrel. The people who work in the mine recording offices are doing an excellent job. The only problem is that whole sections of north-eastern Ontario now have had that service withdrawn. If a person is dealing with the Cobalt area, they have to go to Sudbury to record a claim; and, as I said earlier, if you're a part-time prospector, you just cannot afford to take the time off to do that. I would think it would be a minimal expenditure to re-establish a mine recording office in the Cobalt area, and it would be well worth your while.

**Dr. Reynolds:** Sir, may I say that I think, by a number of statements here, mining activity has declined in the last year. Even before that decline, the reason for closing those three offices was for lack of activity. I don't think that we can have it both ways, either we in the ministry or those we serve. If the work load is so light that we can't justify keeping it open, isn't it better to take the money and the complement and use them in other areas where they are more needed than to have people occupying space, with rental and heating costs and all of that sort of thing, for very little return?

**Mr. Bain:** How much were these offices losing? You say they were all losing money, that they weren't economical.

**Dr. Reynolds:** They don't make or gain money, sir; they simply are an expense. There are salaries and the other expenses that I've mentioned, which are not inconside-  
rable in days when we really are straining for as much efficiency and effectiveness of our staff. You know, we've had references to bloated bureaucracy and so on; well, these are some of the areas we felt could be re-  
strained.

**Mr. Stokes:** Service is the name of the game.

**Mr. Bain:** Perhaps you could provide us with statistics for the offices that you closed—how much money they were losing, etc.—and compare those to statistics for the offices that remained open, as to how much money they were losing or how much money they were making, the number of staff that they had in comparison and that sort of thing. Show us those figures, because when you talk about staff, my information is that there are at least 80 people in the new regional office in Timmins.

I think it's a lot better use of your money if you subsidize one mine recording person in a remote community that gives access to people, rather than shove 80 into a regional office that really is providing no service whatsoever.

Will you provide information about the mine recording offices that were closed and compare their expenditures, their assets or profits or whatever way you compute it, and compare those with figures for the ones that you did not close?

**Dr. Reynolds:** I really don't know how to deal with your second point, that the regional offices are a waste of money, that they are contributing no service to the public and other things that you said. Don't we need a balance sheet here?

**Mr. Bain:** I'm most concerned at the moment about the mine recording offices, but if you want to give us an accounting for the regional offices I'd be more than happy to see that as well.

If you talk to the average person who supposedly is to benefit—and it's been said many times here today that the ministry wanted to provide more services to people—you have not done it by providing these regional offices. They're just so far removed from people that they don't provide any services. I think they're more of a hindrance than they are a

help. It just adds another step that people have to go through in dealing with the bureaucracy.

**Dr. Reynolds:** Mr. Chairman, perhaps I'm having too much to say, but since not only the last speaker, but others today, have made quite a bit of reference to the concerns about our organization, our morale and this sort of thing—and I think these are elements which the minister has dealt with very substantially but I, as the deputy minister, must have a special concern about them—if the committee wishes, I will make some comments on that broader scale, which I hope would clear up Mr. Bain's concerns.

**Mr. Chairman:** Yes, go ahead.

**Dr. Reynolds:** I made some notes on what was said this morning and I will try to deal with some of your comments, Mr. Bain, as well as those of Mr. Stokes and others. Certainly the public service aspect is the name of our game, as somebody has said; we've got to provide more service. We are, by a very wide margin—and I really feel quite content in saying this—the most decentralized ministry in the government of Ontario. We have staff closer to the people than any other ministry by a very wide margin.

We are the only ministry in Ontario, for example, which has someone of the status of an assistant deputy minister outside Toronto. We have, if you like, a very complex organization—

**Mr. Stokes:** That's a big difference, Dr. Reynolds, from where the decisions are taken and the amount of discretion left with those people who are out there interfacing with people on a day-to-day basis. You're absolutely correct. You are the most decentralized ministry. It's the amount of decision-making powers that reside in them as opposed to decisions taken elsewhere, often countermanding what they would like to do at the local level.

**Mr. Makarchuk:** Whether you use them effectively or as a buffer between yourselves and the people out there—that's the other point which has to be considered.

**Dr. Reynolds:** Some of these are tough for civil servants to answer but Mr. Bain, for example, has talked about additional layers of people. The fact is in these sort of things, in the reorganization—in the organization, really, of the Ministry of Natural Resources; I don't talk about reorganization, I think that's a wrong concept. We didn't reorganize the Department of Mines or the Department

of Lands and Forests; we wiped both of those out and put together a new organization entirely.

Let's take the Department of Lands and Forests, which was the largest by a very wide margin, a factor of about eight or 10 to one. It became thereby, in many areas, the key development on which the rest of the organization is hung. We moved from something between 80 and 100 chief ranger offices, which were closed, and we moved from, I think 21 or 22, something like that, district offices to 49 district offices. So we removed one layer, if you like.

As Mr. Lane pointed out this morning, we have been able to establish substantial offices, and I guess substantial is open to one's local interpretation, at points which are very close to people. Places like Nipigon and Espanola and 47 other places have district offices. They are intended, as far as we can delegate the authority to them, to be places where people can come and get direct answers so that fewer and fewer things have to come to Toronto.

With all due respect, that cannot be done overnight. We have to build up a level of expertise to handle this sort of thing. We have to move a lot of people out of Toronto and we have done this; all of this is going on. I really think that too much is being expected of the organization.

**Mr. Bain:** Does a district manager communicate directly with you or does he have to go through the regional office?

**Dr. Reynolds:** It depends on the nature of the decisions. By and large, we have decentralized from, if you like, my office as an administrative office; an enormous amount of responsibility has been given directly to the regions, and from them, in turn, to the districts. Now everyone would like to do a better job but there are all kinds of restraints.

Your view, sir, that the regions are an extra level of insulation, I don't really think holds up because they are essentially supporting the district offices. They provide many services to them and they enable the district offices to be the provider of services. They are on the front line. They have not quite as much authority as the 21 or 23 district offices but they have a lot more than the 80-odd chief ranger offices. We have tried to reorganize in order to push out more and more responsibility.

I have to say to you that for a deputy minister it's a no-win situation. I can think of one situation about a year ago when a gentleman came into Mr. Bernier's office and



said: "I have a complaint about a land-use permit." He asked me to come in and comment on it. I said: "Look, we don't know anything about land-use permits in Toronto any more. That's handled entirely in the district."

That was seen as my having given up the ball game. I don't know what the hell's going on in the district. The next morning, I was at a NOTO meeting and the first resolution we got from NOTO was, "When are you going to stop making all the decisions in Toronto?"

You can't really have it both ways—and we're trying to establish a better organization. But it's not perfect. We're doing a lot of fine tuning but I think it's moving pretty rapidly.

[2:30]

Mr. Stokes: Can I just respond to that? You're absolutely right, but it's very easy to generalize.

Let me give you the other end of the spectrum: I got a letter just recently from a constituent of mine who had just lost her husband. She had worked for the Ministry of Natural Resources for 11 years. She had a good relationship with the district office. She knew them all on a first-name basis; she had worked with them. She had a lease on a parcel of land along Highway 17, about a quarter of a mile from the junction of a provincial park. She asked if she could get some security of tenure so she could transfer the buildings to someone else who was willing to live there and pay her a fair price; there was no way she had any bargaining strength if she didn't have any security of tenure. So she went to the district office—as I say, they were friends of hers—and, according to her, they said: "We agree, we sympathize with you wholeheartedly, but we don't make the decisions. We've got land-use planning committees—"

Hon. Mr. Bernier: You're on it, aren't you?

Mr. Stokes: Yes, I'm on it.

Mr. Ferrier: And it never meets.

Mr. Wildman: It never meets.

Mr. Stokes: Did you know the remark that was attributed to them? "It's Mr. Stokes and Mr. Bernier who make the decisions. You'll have to see them."

Mr. Haggerty: It's nice to be popular.

Mr. Wildman: I just got a letter from Wawa saying they were referring me to Mr. Stokes.

Mr. Stokes: So that's the other side of the coin.

Dr. Reynolds: Without dealing with that specific case—and I don't think you intended to use it except as an example—I would say to you that I think we're moving ahead pretty rapidly—as rapidly as the organization really can stand it, although perhaps not as rapidly as people would wish it. But, as I said, to move from 20-odd districts to 49 districts really means that a lot of people were suddenly expected to handle responsibilities that they were not prepared, by training or anything else, to handle. We're upgrading skills all along the way in these sorts of things; we have a lot of training sessions and I think the organization is going well.

I came into the old Department of Lands and Forests in 1952. That was seven years after the old Department of Game and Fisheries had been amalgamated into the Department of Lands and Forests. The Department of Lands and Forests, prior to that date, was a department run by and for foresters. I'll tell you, the Department of Game and Fisheries became the fish and wildlife branch; it was an appendage. Seven years after that so-called amalgamation, people were still saying to me: "Look, don't get too close to these foresters"—I was a biologist—"This can't last." Here we are, about three years after the latest amalgamation, and I think we've made much faster progress. I guess I'm asking for a little understanding of the problems of doing this sort of thing. It is a big organization. Mr. Stokes has used the word "unwieldy," and I don't honestly think that is so. If it is, it's got to be my early responsibility to move away from it.

Mr. Stokes: Except you must be aware of the fact that because it is getting larger and more complex, you must listen and you must open your lines of communication.

Dr. Reynolds: Mr. Stokes, I get a lot of complaints from my minister, among others at times, that I'm never in the office. It's a big province, as you well know. People who get to North Bay think they're in northern Ontario; well, some who go north of Steeles Avenue think they've gone to Northern Ontario. Some of them who hit the Shield at Washago think they're far north. People think they've really gone north if they get to Moosonee. But if you draw a line to Moosonee to your home town, you've got more than half of Ontario still north of you. It's time



to get that in perspective, but it's very difficult.

**Mr. Bain:** I can appreciate you having to defend the reorganization; it would be rather unusual for you not to, but the minister has also said that he's got a lot of good input or feedback about how successful it's been. I would suggest that you talk to some of the people who are being served by these regional offices. What you've done, and you've alluded to it already, is you've reduced the number of chief ranger offices and the number of services that were right there in those people's communities. Sure, you established district offices; but if you don't live in a community where there is a district office, you have lost the local office you had before which had a chief ranger. Generally speaking, people have felt that the ministry has really gone downhill a lot.

A lot of people used to be quite proud to deal with Lands and Forests or work for the ministry, but you don't have that same spirit now, especially among the people who work for the ministry. They never know next when they are going to be axed or when the district office is going to be whittled away a little more in order to sustain the regional office. If you happen to be in a field office away from a district office, you figure that in this constant battle between different offices if the regional office has to cut back, they will push that cut back down to the district office; and of course the district office will inflict it upon a field office. Generally speaking, it hasn't turned out quite the way you envisaged it would and maybe you should get out there in the field and talk to some of the local people.

**Dr. Reynolds:** I take that advice. I like to think that I spend as much time as I can, I guess we all do but I really do. I have not visited all of our 49 district offices but I have had meetings, in groups of about six at a time, with all the district managers and have had very thorough discussions, by myself, not with staff. I have said to these people, "What do you want to talk to me about?" I think I have heard all their beefs. I have done this with all the regions and it is a continuing process.

Frankly, it hasn't added to my problems as a deputy minister that through this period of my occupancy of this seat we have lost in the order of 300 complement positions in the ministry and that's right. As a taxpayer, I applaud. As an administrator, it is hard to live with but we have been under those restraints as has the whole government.

We have contributed at least our share to the overall reductions of about 4,000 places which Mr. McKeough talks about.

**Mr. Bain:** They have all been at the local level and not at the regional level.

**Dr. Reynolds:** I am sure they haven't; with great respect, they haven't.

**Mr. Bain:** Most of them have been.

**Dr. Reynolds:** No, sir. Proportionately, Toronto has taken a far greater cut than the field.

**Mr. Bain:** Yes. If you have a community which has one chief ranger and you do away with him, it is pretty obvious you have withdrawn the entire service; but if you have a ministry with 1,000 civil servants and you do away with a few there is no appreciable change.

**Hon. Mr. Bernier:** If I may interrupt here, even major corporations make changes in their overall structure, and while there may be some concern among the smaller areas with regard to the chief ranger offices, in many places we had only one person who was active, really, during the summer time. He might have had a building where he kept the grass cut and this type of thing.

When we went to reorganization we felt strongly that that individual, with his expertise, and with other people working maybe out of a bigger office, could be more effective to the whole area, really, and deliver those services. I come from a small town and I know what it is. Appleby is a good example and Macdiarmid, Nakina; those little places had one or two people but they weren't really that effective.

Sure they were there. The local people saw them every day but as for delivering services and getting the maximum return for the dollars being spent, we weren't getting it that way. This is part of the overall restructuring and trying to improve our services and we take great pride in them and we will continue to try to improve our services. That's the whole thrust really. Consumer service is our business. We haven't lost sight of that, by no stretch of the imagination.

**Mr. Haggerty:** I want to follow the comments of the leader of the NDP this morning when he asked a question, through you, Mr. Chairman, to the minister concerning the agreement on the proposed development of the new integrated forest industry complex

in northwestern Ontario. He related his remarks to The Environmental Act, on page 70 of the report here:

The company has agreed to participate in hearings of the Environmental Assessment Board of the Ministry of the Environment to determine in a public manner that the new pulp mill would be environmentally acceptable.

There is an article in the Algonquin Wildlands League, January, 1973, and I thought that perhaps I should put this on the record. It said:

Conservationists were stunned to read on January 13 that a provincial judge in Picton, Ontario, had ruled that the key section 14 of the Ontario Environmental Protection Act, while certainly commendable, is not within the legislative competence of the provincial Legislature. The ruling came out of the court case launched with the assistance of the Environmental Law Association against Triad Truckways and Lake Ontario Cement for polluting the environment by noise emissions while taking the sand from dunes beside the Sandbanks Provincial Park.

In his ruling, Judge Clendenning said that the protection and conservation of man's physical and psychological existence is too big a matter for a provincial administration and properly belongs under the federal jurisdiction. This pronouncement was in line with the stand of the defence lawyer who urged that the whole Act be declared unconstitutional.

Apparently this ruling did not come as a total surprise to the members of the legal profession. That point had been debated informally amongst them for some time, but it certainly throws into utter confusion the whole concept of the slowly emerging environmental legislation in Ontario, which is finally making itself felt. Other provinces which have developed similar legislation will also be affected.

[He said] the Algonquin Wildlands League has appealed to the appropriate provincial and federal ministers to refer the matter to the Supreme Court of Canada in as speedy as possible a manner, noting that the longer the matter remains unresolved, the longer will environmental decay spread throughout Ontario, in many cases to the point of non-return.

And I think perhaps that's the point that the leader of the NDP was bringing forth.

Hon. Mr. Bernier: If I can just clarify that, Mr. Chairman. There was a memorandum of

understanding whereby the company within 60 days would deliver environmental assessment studies and their site complex report to the Environmental Assessment Board. We would, by order in council, in addition to the agreement entered into whereby the company would appear—if you look in the agreement you will see the company has agreed to appear; they don't have to, but they have in the memorandum of understanding agreed to appear before the Environmental Assessment Board. It's our intention as we did with Elliot Lake, as we did with the Georgian Bay deep water—what's the name of that?

Mr. Lane: Fisher Harbour.

Hon. Mr. Bernier: Fisher Harbour. We passed an order in council under The Environmental Assessment Act which would give the Environmental Assessment Board all those powers to look into all aspects of that complex, be it environmental, be it forestry, forestry management, forestry practices, wild life, all other resources connected with that area—the social and cultural and the economic aspirations of our native people, as well as the site itself, the location of the site and the operation of the site—that would be under the review of the Environmental Assessment Board under The Environmental Assessment Act.

Mr. Haggerty: Well, would there be any—

Hon. Mr. Bernier: It's much stronger than the Environmental Protection Act.

Mr. Haggerty: Much stronger?

Hon. Mr. Bernier: Much stronger, yes.

Mr. Haggerty: Well I don't know, I have my doubts about the Environmental Assessment Board. At different times that I have seen them performing their duties I have to question some of the decisions they rendered too. Sometimes I wonder if it isn't similar to what the Ontario Municipal Board purpose is, that they carry out government policy.

Hon. Mr. Bernier: That's a pretty big statement; it's an accusation.

Mr. Haggerty: Well, it's a big statement, but it's a challenge, isn't it, eh? When I read that comment to you concerning that decision already handed down by the courts it is questionable. Are we going in the right direction?

Hon. Mr. Bernier: That's The Environmental Protection Act.

**Mr. Haggerty:** That's right.

**Hon. Mr. Bernier:** I am saying this will be under The Environmental Assessment Act—much broader, much tougher.

**Mr. Haggerty:** You would have the two of them together, though. I mean one can be shoved off on to The Environmental Protection Act and saying this is what the interpretation is, and there'll be conflicting—

**Hon. Mr. Bernier:** These public hearings by the Environmental Assessment Board will be held under The Environmental Assessment Act. Now I can't say any more than that. That's the strongest piece of legislation we have.

**Mr. Haggerty:** Well, let's hope it's going to be strong enough.

**Hon. Mr. Bernier:** Well, we will make sure that the public interest is fully protected and fully aired, I will guarantee that.

**Mr. Wildman:** Without going into a lot of argument again on organization, I would just like to know—you were talking earlier about the district offices and the regional offices as regard to service to the public. Can you give me some indication of the role played by the district managers and their staffs in developing policy?

[2:45]

**Dr. Reynolds:** Well the development of policy, Mr. Wildman, I am sure you appreciate, is a pretty complex business. It certainly is not made at the top. That is the very last place that policy is made. It evolves through the whole system of any well-run organization and I would like to include Natural Resources within that framework. Just as the people at the top have no monopoly on good ideas; more of them come out of the organization. Frankly, I think a lot of them come out of this big organization. It is large, but I don't feel it is unwieldy, Mr. Stokes. Ideas do come up through many ways and we have a pretty complex system of district meetings, of regional meetings, of trans-disciplinary organizations and that sort of thing, to put these through.

It looks like a complex web, and it is, but I'm sure you will appreciate, coming from the area you do, that one cannot possibly manage, with any intelligence, the natural resources of any jurisdiction, certainly not one as large as this, on an individual resource base. You just can't do it, on the basis of just trees, just fish or just wildlife; you really must have a mix of all of these things.

Perhaps it is not the place for me to go through the organizational setup that we have for our cross-disciplinary and cross-jurisdictional ties, but I would be very glad to send you the book we have which describes this. It is not quite up to date, because it can't be a static thing, but I would hope it would show you how, through a series of committees and so on, this sort of thing gradually finds its way, with its alternatives, to the top of the pyramid; then, as you know, from there to the minister, to the cabinet committee and so on. So it is a completely dynamic operation, starting from, if you like, the lowliest seasonal casual right through the organization.

**Mr. Wildman:** Casuals is something I am going to bring up later, but I just want to say that on policy matters, such as the number of COs and these sorts of things in areas, I would think that if the district offices had perhaps a little more weight in their input, you'd have a lot more COs. I am just a little concerned, although the district offices are there, as you say, to give service to the people, that perhaps in some ways their input in policy does not carry enough weight in the final decision that is taken in the upper echelons of the ministry and finally in allocating funds in provincial cabinet.

I really feel that although the district offices may be trying to give more service, their hands are bound by the fact that they are not being given the kind of support that they perhaps should be given by the ministry.

**Dr. Reynolds:** Mr. Wildman, I would suggest to you that the office you would be most familiar with, the one at Blind River, perhaps would be a good example of the other side of that coin. In the organization of this new ministry, what was formerly not very much more than a seasonally oriented office at Blind River, a chief ranger office, which I think had perhaps one or two conservation officers working out of it, a seasonal fire protection staff, some scalers and one unit forester, as I recall—

**Mr. Wildman:** But you had conservation officers out of other areas like Thessalon and so on.

**Dr. Reynolds:** Well, they are now under one—

**Mr. Wildman:** Right.

**Dr. Reynolds:** But lots of things have happened to either interfere with or modify that pattern. I'm thinking of modern devel-



opments in communications, for example: better roads, Telexes, radios and a whole lot of things. And where many of our staff quite properly are now on 40-hour weeks, you cannot really provide much service to the people of, say Thessalon, via a conservation officer who is striving to work a 40-hour week. Whereas if you have a group of them together, they can spell each other off and you can always have somebody available to answer telephones and provide service on a wide range of facilities. He may have to drive a little farther, he may have a larger long-distance telephone bill and that sort of thing, but you virtually always have somebody at the end of the phone who can do something.

**Mr. Wildman:** I would just like to point out that there are four district offices in my riding, and not just one at Blind River.

**Dr. Reynolds:** That is better than I thought.

**Mr. Bain:** Mr. Chairman, I was wondering whether we're combining items 1 and 2 or are we still going to vote on them separately?

**Mr. Chairman:** We're on item 1. Is there any further discussion on item 1?

Item 1 agreed to.

Item 2, field offices.

**Mr. Bain:** I was just wondering when you underwent your reorganization, what were the criteria for establishing a district?

**Hon. Mr. Bernier:** I'll get the architect right over here, Bill Foster, the assistant deputy minister for southern Ontario.

**Mr. Foster:** Mr. Chairman, Mr. Minister, in designing the geographic system of field administration the criteria for a district were based on a number of factors—population, area to be served. In other words, we tried to keep them within a 35- or 50-mile working radius. This would allow the staff to work out of the centre at reasonable driving distance. It would also provide the opportunity for the public to have reasonable access to a district office.

They were planned on the basis of having a complete team as much as possible, whereby all the services of the ministry could be dealt with for that local area, including fish and wildlife, parks, pits and quarries, timber and so on.

Another consideration is the land area that has to be managed. That affected the distribution somewhat.

We also had to consider our existing facilities in an attempt to make as much use as we could of our capital investment.

**Mr. Bain:** What was the population—and I assume this applies to all of the province, or was there a difference in population in different parts of the province?

**Mr. Foster:** Well, you have to balance that with the area to be covered. For example, there is a district office in Moosonee. Population-wise it may not warrant it but the vast area of geography that has to be dealt with has to be considered as well.

**Mr. Bain:** And what about area? You said your area to be managed was a consideration. What was the largest area that you considered feasible?

**Mr. Foster:** If you divide 49 into 400,000 square miles you get roughly seven or eight thousand square miles per district. Now, you get every extreme from about 2,500 square miles perhaps in the Niagara Peninsula to Moosonee which perhaps is about 140,000 square miles.

**Mr. Bain:** So there was really very little objective criteria. You just pretty well sat down and drew some lines on the map that looked good.

**Mr. Foster:** There was a lot of judgement. We tried to get a geographic distribution. There were a lot of existing headquarters that influenced it. There was the general population, their dependence and interest in Natural Resources programmes.

The system was also designed, of course, to provide as much public service as we could and linked to every one of those district offices is a Zenith system so that any citizen of Ontario can always reach a district office for information or help without a long distance toll.

**Mr. Bain:** I suppose you may end up answering this but I would prefer the minister to answer it. Where do the field offices fit in? You have a number of districts that were drawn up and in which you had facilities formerly headed by chief rangers which couldn't be completely obliterated and you didn't make districts. You included them within districts. What is their status? Are they just an interim step? Will you eventually do away with them or are they there permanently?

**Mr. Foster:** The chief ranger units, and there were a number of them in the province before, they have been melded into the new

system, into the district system. We had some chief ranger jobs being expanded to districts and some perhaps of the old districts concentrated. So there has been a blending. The old chief ranger divisions, the deputy headquarters and the former 21 districts have been melded together to provide 49 units which embrace the wider responsibilities of the new Ministry of Natural Resources.

**Mr. Bain:** How many field offices do you have left? I'm thinking of three that I know of: one in Elk Lake, one in Matheson and I believe there's one in Foleyet. How common are they? Are they something you couldn't fit into the overall new pattern?

**Mr. Foster:** No, they aren't something that wouldn't fit in. In a number of cases, we have what we call work centres which are sub-offices, you might say, of a district centre and they're maintained because of accessibility problems most often. If there's an outlying area which can't be served handily from a district office, we may have a work centre from which some of the staff work but not all services of the ministry can be supplied through a work centre. They tend to be more in northern Ontario than southern Ontario.

**Mr. Bain:** As far as you're concerned, the ones that you have are essential and integral parts of the reorganization? They're not just an interim step?

**Mr. Foster:** It's hard to say. In time, with improved communications, some of them may be phased out.

**Mr. Ferrier:** You had better not phase out Matheson.

**Mr. Bain:** I second the motion for Elk Lake. Do we have a seconder for Foleyet?

**Mr. Foster:** We just have to keep an eye open on that one.

**Mr. Bain:** There's a matter that the minister may or may not be familiar with. A while ago there was a complete operation—well, complete; there was a CO and some support staff in Gowganda. Since this is in northern Ontario, I assume the minister might be familiar with Gowganda. The mining industry there closed down. The sawmill operations closed down and really what's left there now is the establishment that the ministry had. You have one part-time person who goes in and services the area.

A few years ago, I believe it was after he became a minister but he still maintained

an interest, Mr. Brunelle intervened on behalf of the people in Gowganda when efforts were made to close it down permanently by the ministry. I don't think he was the minister then. I think he had given up his interest officially, but still maintained influence. Apparently, because of changing circumstances—I don't know whether those changing circumstances are political or otherwise—the ministry officials, certainly at the regional level, want to close Gowganda again. I think that would be a very large mistake in that this is an area in which tourism is picking up considerably and it's an area where, in a few years, you may want to have a conservation officer permanently or at least for parts of the year.

If you close down your whole establishment, sell off your buildings, you know yourself you're not going to be able to afford to reopen them. I would appreciate it if the commitment Mr. Brunelle gave could be lived up to by the government and that Gowganda not be closed.

**Hon. Mr. Bernier:** Mr. Chairman, I'm not that directly familiar with Gowganda but I can report that this happens in a number of areas throughout the province where we did have chief ranger stations established. In the change of direction, the permanent people were removed and in some instances we have had Experience '76 people there for the summertime.

In some instances, we have a fire crew of local people; a unit of firefighters with a four- or five-man crew, who are there for the summertime. I'd be prepared to look at Gowganda on those terms for summertime operation. I think if there's a need there, if we could establish a need, I feel strongly that we can verify it and justify it.

**Mr. Makarchuk:** Mr. Chairman, I wanted to discuss something about the staffing of the offices. What brought this to mind is an experience I had last summer when one of our citizens acquired a deer on the hood of the car. The car was insured—I don't think the deer was insured—but the deer was still alive and he wondered what to do with it. He phoned me—I'm not sure why but he did call me—and I suggested, "Have you contacted the office in Hespeler?" which was the closest office. I suggested that and shortly thereafter I received a phone call to the effect, "There's no answer there. They don't seem to know anything. There is no answer."

[3:00]

I got on the phone and I finally got to a telephone answering operator, and she said

she doesn't know who is in charge or where they are, or whatever it is. Then I proceeded to call Maple and I proceeded to call London—three places and in all three cases there were no answers and nobody was there.

Is it the policy on a weekend that you shut everything down, that if a citizen wants to get hold of somebody he is lost? Or is there a shortage of staff, or did it just happen this particular weekend that everybody was out? It was a weekend some time toward the end of June.

Eventually they went to the press and so on and all of a sudden somebody appeared on the scene. I don't know how word filtered down. It may have filtered down from the answering system in Hespeler to somebody who was in the know or somebody responsible; a man did appear on the scene and relieved him of this deer. By this time, I think, it was deposited at the Paris police station.

But what is the staffing arrangement? Is it because of a shortage of staff or because of cutbacks that you do not have adequate staff or do you just close them on Sundays and forget about it?

**Hon. Mr. Bernier:** I don't think there has been any change in policy there at all because we only operate on a 40-hour week with our staff.

**Mr. Haggerty:** Mondays to Fridays.

**Hon. Mr. Bernier:** Our offices are open Mondays to Fridays.

**Mr. Makarchuk:** In other words, what you are saying is if something happens on a weekend then—

**Hon. Mr. Bernier:** But I want to just add something. In practically all of our areas, the district manager or the regional director are on call all the time. I know this past summer our boys were taking calls with regard to forest fires at 12 and 1 o'clock at night. And they are very receptive to that—at least, the people in those responsible positions. If you know those positions—in some instances I do believe we give their numbers out, their private numbers.

**Dr. Reynolds:** Most of the COs and people like that are listed in the telephone book.

**Hon. Mr. Bernier:** The office per se is closed on Saturday and Sunday.

**Mr. Makarchuk:** What does a citizen do if he has to contact your department on the weekend then?

**Hon. Mr. Bernier:** If there is something of an emergency?

**Mr. Makarchuk:** In this case, it was an emergency. He felt that he could do away with the deer but he would be accused of killing deer out of season or something like that. He didn't just want to leave it on the road. Admittedly it is not a world-shaking situation. However, the argument here is what happens on the weekend?

**Hon. Mr. Bernier:** My immediate response, I suppose, would be the Ontario Provincial Police would be around for a situation like that.

**Mr. Makarchuk:** He contacted them and they said that was not their function.

**Hon. Mr. Bernier:** But they would usually direct it to where it should go.

**Mr. Makarchuk:** They also directed him to the same office which he tried before, which I directed him to and, of course, there was no reply there.

**Hon. Mr. Bernier:** You would think they would know who the conservation officer was or who the district manager was.

**Mr. Makarchuk:** It would appear to me that perhaps if you are making sure that your weekend communications—for example, there is nothing wrong having a telephone answering service providing they know where to get hold of somebody somewhere in the area.

**Hon. Mr. Bernier:** We will give that some consideration.

**Mr. Makarchuk:** Thank you.

**Hon. Mr. Bernier:** If we are going to deliver the goods and be consumer conscious then I think we should.

**Mr. Makarchuk:** This fellow was pretty sore at you as a consumer.

**Hon. Mr. Bernier:** Yes, I can gather that.

**Mr. Makarchuk:** And I damn near had a deer on my hands.

**Mr. Laughren:** Concerning the role that the field officers play in so many of the small communities, I was wondering whether or not the minister sees any conflict with



their operation and the role of a ministry of northern Ontario.

**Hon. Mr. Bernier:** A ministry of northern Ontario?

**Mr. Laughren:** Yes. What is your view on that? Do you think it would be—

**Hon. Mr. Bernier:** I have no view to express publicly on that.

**Mr. Laughren:** I see!

**Hon. Mr. Bernier:** We have a very good establishment of northern affairs officers across northern Ontario. They work very closely with our field offices, but there is no ministry of northern Ontario to my knowledge as yet.

**Mr. Laughren:** Imminent.

**Hon. Mr. Bernier:** As yet.

**Mr. Ferrier:** You are not putting in for it.

**Mr. Laughren:** No, I haven't heard the minister trumpeting the cause of a separate ministry. I guess he sees his empire being decimated.

**Hon. Mr. Bernier:** Do you have a fear that we may go in that direction?

**Mr. Laughren:** No, as a matter of fact, I think you would be extremely foolish to go in that direction, but I suppose it is hard to tell what you will do when your backs are to the wall.

I meant it as a serious question because if there is a ministry being proposed in a serious way then it does say something about the existing services that are in the north. Although I don't expect you to confess to any great gaps in service, I thought that you certainly would have some kind of feelings about the kind of services that your ministry delivers.

**Hon. Mr. Bernier:** My feelings toward my ministry? We deliver the services and we do it very well and very effectively. In our reorganization we've got 49 offices now. As the deputy said, they are much closer to the people. It is a grassroots kind of delivery system.

**Mr. Laughren:** So it really would be hard to countenance laying on another layer, wouldn't it?

**Hon. Mr. Bernier:** I've got no comment to make on that really. You're trying to draw me out on another ministry without the material.

**Mr. Laughren:** Not at all. I'm giving you a chance to trumpet how good the services are that your ministry delivers.

**Hon. Mr. Bernier:** Do you agree with our services, the way we're delivering them then? Check with Ed Diebel.

**Mr. Laughren:** As a member from northern Ontario, all I'm trying to say is that I'd like to see the services improved and the attitude changed towards northern Ontario, but not another ministry; that's all. I'm glad you agree with me.

**Mr. Chairman:** Is there any further discussion on item 2?

**Mr. Germa:** Mr. Chairman, I was on the list for a policy discussion.

**Mr. Chairman:** Yes, but you weren't here when we concluded that discussion.

**Mr. Lewis:** Don't be petty.

**Mr. Germa:** I just galloped out to get some information on it. I didn't realize you were going to progress that rapidly.

**Mr. Chairman:** Well, we've been working on the main office all day.

**Mr. Germa:** I understand that.

**Mr. Chairman:** Maybe you can do it under administrative services.

**Mr. Germa:** The problem I have is that it's got nothing to do with field offices. I was aiming at item 1.

**Mr. Bain:** Mr. Chairman, did we not have enough of an inter-mixing? This is why I asked you myself if we were going to do the two votes together. There were a number of occasions when people were talking about field offices, when in fact it was the main office that was being discussed.

**Hon. Mr. Bernier:** I would have no objections.

**Mr. Chairman:** If the committee has no objection.

**Mr. Williams:** I object. I missed an item before when we were dealing with the other ministries and I was denied the opportunity to speak on the item. The opposition members wouldn't accord me the opportunity to speak to it because I was out of the room and came back when the item had been voted on. How you treat one I think you've got to treat the others the same way, Mr. Chairman.

**Mr. Chairman:** You've made your point. There will probably be ample opportunity for you, Mr. Germa.

Item 2 agreed to.

Item 3 agreed to.

Is there any discussion on item 4, administrative services?

**Mr. Germa:** I could probably deal with this under administrative services.

**Mr. Chairman:** Go ahead.

**Mr. Germa:** I'm sure the minister is aware, while I am aware, that he had representatives at the Law of the Sea Conference in New York which was concluded on September 17.

I have conflicting information from the federal government. I have some information from Mr. Gillespie, the Minister of Energy, Mines and Resources and I have other information from Mr. Jamieson, the Minister of State for External Affairs. Knowing that the province of Ontario had representation at the Law of the Sea Conference, I would like the minister to give me an interpretation of where we are on the mining of nickel nodules in the sea-bed mines.

**Hon. Mr. Bernier:** I'd like to have Mr. Jewett, the executive director of the mining branch answer that specific question for you. I believe along with Mr. Jewett, Dr. Tom Mohide was at the conference; in what capacity you might explain, Mr. Jewett.

**Mr. Jewett:** I'm sorry, I've asked Dr. Mohide to come over and he is on his way. The question was again sir?

**Mr. Germa:** I was making reference to the representation that Ontario had at the Law of the Sea Conference as it pertains to the mining of nickel nodules in the Pacific floor and what impact this is going to have on our major industry in Ontario. Have you made calculations? What was the form of your representation? Do you agree with the federal government's proposition? What can you do with the proposition put forward by the United States at the Law of the Sea Conference which is going to be totally offensive to the nickel mining industry in Ontario?

**Mr. Jewett:** Could I deal with the last one first? We agree entirely with your proposition that the suggestion made by the United States was offensive, not only conceptually, but in terms of the interest to Ontario. This was very largely the reason

that we were interested and anxious to participate in the formulation of the Canadian response in terms of representations from this ministry to the Department of Energy, Mines and Resources in Ottawa. They saw fit to appoint Dr. Tom Mohide and myself as advisers to the Canadian delegation. I spent only about two days down at that meeting. Dr. Mohide, who is on his way here, spent close to two weeks, I think. His role, which I think answers one of your questions, was specifically to work with the federal advisers and staff people to draft a paper analysing the effect of the United States proposals on the nickel industries of existing producing countries around the world and, incidentally, as to their effect on the production of some other metals, copper being notable in that regard.

This position paper, which I think was most creditably received, was used by the federal government, and by Mr. Alan Beesley primarily, in representations to other producers in the world, the South American countries and the Pacific Rim producers, to point out to them that perhaps there were some aspects of this proposal that they had not been aware of or had ignored. I believe that our position and our point was made, that it did reinforce the Canadian position, and that there has been considerable retreat from that original American proposition.

I'm afraid that I am not fully informed as to what the state of negotiations are at the moment or if any negotiations are going on. As you know, of course, the conference has been suspended but that doesn't necessarily mean that there are no further discussions at this time. Does that cover the point, sir?

**Mr. Germa:** Yes, it brings me up to date on your participation and the participation of the province of Ontario. I wonder if you could tell the committee just where we are on the development of sea-bed mining of nickel nodules?

**Mr. Jewett:** That is hard to determine, even for us at the site. It was my own observation there, that the one area where we were most deficient in data was on the extent of the sea-bed resources. There have been some very optimistic claims made. Suggestions have been made that the number of economic sites today ranges from a low of 10 to a high of 300, each site being a major producer. I don't have that number at my fingertips at the moment. The best information we can arrive at, however, is that it would appear that it will be 20 years before

the process is competitive with sulphide production in the Sudbury basin, for instance. The trend from that point forward will have to be watched very closely.

What is clear, however—and we did participate in discussions with the federal staff and American banks—is that the amount of money that is required for the investment in these deep-sea nodules is very large: in the order of \$100 million minimum as starters to develop each one of these sites. It was a little bit surprising to find out that money was freely available, provided a world authority could be established which would guarantee security of contract, if you will. In other words, there would have to be national guarantees attached to it. But given that, the indications were that moneys in that quantity would be available and the sites could be developed.

The chief problem at the Law of the Sea Conference today—one of the chief problems; there are many there—appears to be a lack of recognition of the implications of the management organization that is being suggested. It was my impression that what is being proposed as the managing authority for sea-bed mining for the 110-odd have-not nations is as large as, or larger than the whole United Nations organization today. I don't think anybody has worked out the cost of that or who pays for it.

[3:15]

**Mr. Germa:** Are you convinced that this proposition and the percentages of growth in sea-bed mining which have been presented by Canada will protect land-based mining production?

**Mr. Jewett:** No, I don't think I can make that kind of statement. I think what I can say is that we have made as fair a representation and presented the Canadian position and particularly the Sudbury position as effectively as it can be presented at this time. The matter is going to have to be followed very closely and continuously and it will not go away. I would say that our chief concern is that the possibility of future sea-bed mining of nickel coming in will affect the desire for further investment in Sudbury and in nickel deposits like that in Canada.

The concern to us is that there will be coming out of this Law of the Sea Conference a commitment that a certain part of the production, whatever the economics, will have to come from the Law of the Sea and will be managed for the greater benefit of the have-not nations of the world.

**Mr. Germa:** I think what you're saying is that the proposition of sea-bed mining is going to inhibit investment in the nickel deposits in Ontario, is that right?

**Mr. Jewett:** Yes, that potential certainly exists, sir.

**Mr. Germa:** All right. What is the ministry's policy on it? What are we doing to protect ourselves from this happening?

**Mr. Jewett:** What we are doing to this point in time is following and participating as closely as we can in the negotiations in New York; staying as well aware of what the trends are and what the implications are as we as a provincial government can do. As something more identifiable emerges, our policy will emerge from that.

At the present moment it's impossible to predict whether there will be on the one hand a sea-bed managing authority or whether the whole thing will break apart and it will be like the Oklahoma land rush—first come, first served. The two alternatives are very definitely a possibility right now and until one can identify which way the development is going to go it is very difficult to develop any meaningful policy alternatives.

**Mr. Germa:** I'm surprised that Canada's position was not such that it would guarantee the continuation of the extraction of the land-based nickel deposits in Canada and Ontario.

**Mr. Jewett:** With respect, sir, it is difficult for a country as small as Canada to guarantee anything in a world form.

**Mr. Germa:** I'm not saying you can guarantee but your demand should be such, or Canada's demand should have been such. Then you move from that position if necessary. The starting position, I think, should have been a little tougher than what I interpret it to be.

**Hon. Mr. Bernier:** If I may interrupt, Mr. Chairman, that policy would be a national government policy; we were there as advisers to the federal government. We don't have a place at the table per se. It's the federal government which has the place at that table and our two fellows were there as advisers to them.

**Mr. Germa:** What I'm trying to find out is Ontario's position. Did Ontario's representatives, when speaking and acting as ad-



visers to the federal government, say "This is not good enough for us"?

**Dr. Reynolds:** They did. Unquestionably they did, but, as Mr. Bernier said, we were there on sufferance, really. There's no obligation, outside perhaps of a moral one, on the part of the federal government to invite us to the table or to be participants in the discussion. It was the pure expertise of Dr. Tom Mohide that eventually convinced the government of Canada that we ought to have a voice in this and help them. I would say it's fair to say, Mr. Jewett, that I think they were very late in recognizing that the Ontario civil service did have an input into this or could have. I've had a very warm letter of appreciation from that committee chairman. But we don't have an official status as a province in that forum.

**Mr. Germa:** I recognize the niceties of not having official status but with such a stake in this proposition of sea-bed mining I think Ontario has to be very vociferous. I think you've got to make strong representation to the federal government and make them understand the serious implications that the whole northeastern part of Ontario could be wiped out if this thing goes ahead as proposed by the United States.

**Mr. Jewett:** Sir, that was the major thrust of our representations to the federal government and it went into their policy paper. Not only would it have an impact on the Canadian development but we were able to show through Dr. Mohide's expertise in marketing of metals that it would have a major impact on the nickel producers in the Pacific Rim, and very much more so on all of the bauxite-type nickel deposits that are being considered for development. It would set them back and this caused a considerable reappraisal, we are told, in the position of the have-not nations.

**Mr. Germa:** Did you find out whether this Glomar Explorer that Howard Hughes built is having any success in their endeavours?

**Mr. Jewett:** I think I'll ask Dr. Mohide if he could come over here and answer that question and any further questions.

**Hon. Mr. Bernier:** Mr. Chairman, I might ask Dr. Mohide to explain the nodules concept for the benefit of the other members of the committee.

**Mr. Germa:** I thought everybody knew about that.

**Hon. Mr. Bernier:** Maybe they don't. But he can maybe explain just what they are and how they are mined and the whole aspect of it.

**Dr. Mohide:** I will be pleased to make whatever comments I can, Mr. Minister. The nodules on the sea floor contain commercial amounts of nickel, copper and cobalt. These happen to be the very three metals that are dominant in the Sudbury district which is the most important mining district in Ontario by value. Whenever this material comes off the sea floor, it will compete with Sudbury.

With regard to the method by which this will be marketed, this is very much at the heart of the Law of the Sea Conference itself. Who is to own these nodules? Who is to mine them? Who is to share in the profits? Who is to market them? And who will be the ultimate beneficiaries of any trust fund set up by these profits? It's an extraordinarily complex problem because you have 146 nations and you have about 200 major issues; fish is one of them, for example, the 200-mile limit is another, and the sovereignty limit is another. Each one of these is a vast area of complexity and to get even two nations agreed on any of those is a miracle. So there's the background.

With regard to the Glomar Explorer, nobody really knows what has been done there. The United States government has said virtually nothing about it. Some shrewd detective work has been done by people in California. I just missed seeing it off the island of Maui in Hawaii a few years ago. It's a very mysterious operation. However, there is a genuine scientific performance in that ship.

It's a sister ship to the Glomar—I've forgotten what the other one is called, but the other Glomar ship is in the Atlantic and doing very serious and valuable work on the sea bed itself; in other words, taking cores out of the sea bed, as opposed to nodules in the Pacific which lie basically on the surface of the sea bed. Among many other things, the Glomar sister ship in the Atlantic is helping with our weather forecasts by helping us understand what happened in the past.

The answer really is that we know insufficient about the Glomar Explorer itself, I'm sorry to say.

**Mr. Germa:** Is it the United States government that is operating the Glomar Explorer now, or is it a private corporation?

**Dr. Mohide:** Well, the journalists have suggested that it is financed by the United

States government. Certainly US funds have gone into the purely research part of the activities of that ship in the past. So where the line is drawn between ownership and funding I don't know. I don't think we are intended to know at this stage.

**Mr. Germa:** I wonder if it is the CIA? It sounds like we are mixed up in international intrigue here and I am pleased to see that the ministry had someone on the spot at the Law of the Sea Conference. I hope the minister will take this very seriously and make damn sure that Ontario follows every aspect of this development to the best degree that it can as a province.

**Hon. Mr. Bernier:** If I may just comment to members of the committee, from my own point of view we can express our appreciation to Dr. Mohide, who has taken a real interest in this particular field. In fact, we were excited when he felt he should go to the Law of the Sea Conference and we made the time available for him. In fact, as the deputy pointed out, we had a greater thrust and a greater interest than the federal government did, and they're finally come to realize that. So, our thanks to Dr. Mohide.

**Mr. Laughren:** I'm sorry Dr. Mohide left his microphone. Most of my questions have been answered on the sea nodules because, as you can imagine, it is of concern to those of us in the Sudbury area. I wondered, in the initial stages even when they're debating the whole problem, how they determine ownership. Could it really be the old concept of whichever buccaneer gets there first? That's hard to believe.

**Hon. Mr. Bernier:** They take a plane.

**Mr. Laughren:** There must be some way of determining ownership, besides the first ship to get there. How do you plant a flag on the ocean floor?

**Dr. Mohide:** The issue hasn't been settled because it's obvious that for a law of the sea you have to have a consensus of nations. There's no use having a majority vote. It's got to be that when the law is agreed on, most nations, if not all, will obey it.

The sea bed has never been allocated to anyone. What the Law of the Sea Conference in its Caracas session three years ago said was a declaration rather than an issuing of a law. The declaration said the sea bed, beyond territorial limits of coastal states, was the common heritage of mankind. On that subject there was a consensus. Everyone agreed this was a good thing. It paralleled

the use of the surface of the oceans, which had always been non-territorial. It had always been the common heritage of all nations using the sea, beyond territorial limits or excluding straits, narrow passages between nations. The way to exploit the common heritage of mankind is the present argument.

It's clear now, with American, Japanese, Russian and European technology, that there is vast wealth down there. You don't measure the weight of those nodules in billions of tons. You measure them in trillions of tons and these are the dimensions we're talking about. A number of ships in the future—whether the ships would be six ships or 12 ships it would be difficult to calculate, depending on their size and their technical ability—but six to 12 ships might conceivably mine as much nickel as the whole of Sudbury in a future year. We're talking very big tonnages and we're talking, of course, very big profits. To the extent that you can take it off the sea floor at a profit greater than you can take it out of a land mine, when you're in business.

The two main proposals in the Law of the Sea are that all of the sea bed should be administered by one United Nations authority and this would issue licences as though it were sovereign. It would, in effect, be the sovereign power over the sea bed. The other proposal is called parallelism. That is mainly a United States proposal which would be that you have part of the sea bed administered by the United Nations authority—which would have its headquarters in Jamaica, by the way—and partly free enterprise. To make that work, the authority would have under its wing its own enterprise which would, in fact, compete with the private enterprise of mine sites on the sea bed allocated to private companies or consortiums.

[3:30]

Mostly they will be consortiums because the cost of one ship with one land-based refinery serving it at the moment is about \$1 billion, so most of these efforts now are now consortiums. One company in particular in its consortium has spent \$100 million so far and there's nothing to show for it yet. They do want the ownership of a slice of the sea bed. In other words, they want title to a section of the sea bed as they would have title under a mining lease on the surface so that they can get on with exploiting it, but at the moment the underdeveloped nations do not feel happy about that. They are inclined to feel that the whole of the sea bed all around the world should be under one central authority of the United Nations and that it

should get all the benefits and the profits and that only developing nations should get those benefits.

**Mr. Laughren:** If I could follow it up, since it became an issue I have wondered why they couldn't do that in such a way that it would narrow the gap between the have-nots and the have nations—which has been widening, in fact, in recent years; it is not narrowing at all—and it seemed to me that would be a logical solution.

**Dr. Mohide:** The discussion still goes on in an attempt to find common ground. There are two major obstacles and one, of course, is the enormous cost of these enterprises. There is obviously the great risk in the weather over the Pacific. You might have only 200 working days in a year or you might have only 150. The other thing is, the technology belongs to the companies who pay for it and in order to share that with someone else there would have to be some method of payment.

**Mr. Laughren:** Do you know whether a company such as International Nickel has been involved in exploration?

**Dr. Mohide:** Oh, yes, they are in one of the consortiums, and so is Noranda in another consortium, so there is Canadian participation.

**Mr. Germa:** Before you leave, Dr. Mohide, could I ask when this subject matter might be discussed again at a Law of the Sea Conference?

**Dr. Mohide:** Yes, the next session has been called for next May. The last session foundered, mainly on this sea-bed question. There was progress on all other things—fishing limits, etc.,—although no hard decisions were made, but it is foundering on this matter. The idea at the next session in May is that the first few weeks will be given over almost entirely to the sea-bed problem in an attempt to find some common ground, or even a solution, because at the moment the danger is that nations will polarize and that there will be no authority, no one to decide on what happens about those nodules.

The United States has indicated that it will not wait forever. Many nations now are already throwing out territorial limits or economic zones of at least 200 miles, such as Norway is going to do next year. Canada will make it 200 miles on fish the next year and Mexico has already declared an economic zone, so some of the sea bed is disappearing into the economic zones or ter-

ritorial zones, and when you take zones like that around certain island nations, you are talking about enormous areas of the sea bed. Take the Philippines and that area. You can see that if you take 200 miles around everything you have got a lot of the sea bed, but the rest of the sea bed in the open ocean will be the major subject of debate next May.

**Mr. Germa:** I trust you are going to be there?

**Dr. Mohide:** I will ask for permission, yes.

**Hon. Mr. Bernier:** I can assure you that Dr. Mohide will be there.

**Mr. Germa:** If you can get me a ticket, I will go with you.

**Mr. Chairman:** One way? Is there any further discussion on administrative services? Carried. Item 5, information services.

**Hon. Mr. Bernier:** Mr. Chairman, if I may just distribute a little brochure that the information services branch is releasing today for the first time. You will recall about a year ago we passed a special piece of legislation naming the amethyst as Ontario's mineral emblem and now we have come out with a booklet called Amethyst Deposits in Ontario. For those who want to go and get their own official mineral emblem, this is the place where you will find it. Mr. Stokes should have the first copy.

**Mr. Haggerty:** You earned it, Jack.

**Mr. Chairman:** Is there any further discussion on information services? Carried. Item 6, personnel, Mr. McClellan.

**Mr. McClellan:** Mr. Chairman, I wanted to deal again with the issue of employment opportunities for native people. We touched on it a little bit earlier in the discussion with reference to private industry. It seems to me there are three opportunities that need to be explored by this government. One is obviously within private industry and another with respect to a community-initiated economic development project. We'll come back to both of those later in the estimates.

I want to talk here about the third area of responsibility of this government with respect to creating economic opportunities for native people, and that is within the public sector. I was pretty disappointed with the minister's opening remarks, at least as they dealt with the subject of employment opportunities. It was a rather tokenist description of a few tree-planting projects. There was one good



thing, the summer employment programme, but that's pretty small potatoes in the face of the enormous problem that rests with our native communities in northwestern and northeastern Ontario.

I don't know if the minister is familiar with Manitoba's New Careers programme. Is this something that you're familiar with? No? Let me just tell you about it very briefly. It seems to me that it's a kind of a sensible and creative approach to providing career-oriented employment in the public service for disadvantaged people, including native people, that the Ontario government could well look at, learn from and implement.

Let me give you just a little bit of the description of the New Careers programme. This is from a paper that was done by the Winnipeg director of the programme, Miss Linda Wiebe:

New Careers is generally known and recognized as a successful, on-the-job training programme through which individuals develop knowledge and skills to assume jobs within provincial civil service. The objectives of the programme are:

1. To help disadvantaged people to enter the job market in areas of high need in the human service;
2. To improve services by paraprofessionals helping the professionals in their duties;
3. To create socially useful and meaningful jobs at the entry level and training for advancement within and between agencies;
4. To orient employment practices within government by demonstrating to the employer that waiving traditional recruiting patterns and qualifications is not equivalent to lowering standards.

The programme believes its success stems from the fact that persons are placed in jobs and then trained. Waiving traditional credential requirements is not seen as a violation of the merit principle when it's accompanied by a structured, on-the-job training programme related specifically to skills and knowledge required to competently perform the particular job.

In Manitoba's New Careers programme about 70 per cent of the training period, which lasts about two years, is spent on the job, and about 30 per cent is spent in the classroom. The jobs are real, meaningful and provide lateral and upward career ladders and transferability. That really has to be stressed. A programme has to provide opportunities

not just for people to come into the public service, but to move in the normal sequence of promotion upwards.

I'm familiar with lots of folks and lots of friends of native ancestry who have worked in the ministry and they've been blocked. They go in at a relatively low level within the ministry and they stay there. There are no opportunities for people to develop new skills or no opportunities for them to establish themselves in the ministry on the basis of a career with opportunities to become, for example, conservation officers. It is my understanding that Ontario does absolutely nothing in terms of helping people on a large scale to make use of these kinds of opportunities.

If I can continue from this little descriptive statement:

New Careers negotiates with departments for entry level positions in the context of the department's long-range plans. Positions may be established, and traditional, such as conservation officers, human rights officers, correctional officers, or they may be in new areas of service or non-traditional, such as chemical abuse workers, legal assistants, and community health workers.

There is a tremendous variety of potential opportunity for employment of Ontario's native people in the government as a whole, and I am not just directing my comments to the current minister. This is obviously a programme that would require the commitment of the government as a whole if it was to succeed, but there are real opportunities within the Ministry of Natural Resources, within an overall government programme, assuming that Ontario would some day show some interest in moving in this direction, for the ministry to play an important role, and I would think in this province a key role.

You have an enormously large work force in the field in northern Ontario in areas which are contiguous to many of the native communities. Many people in the native communities are used to working in and out of the ministry, mostly out, but occasionally, in tree planting, on forest-fire fighting, on some of the lower level fire protection services positions; but to my knowledge you have never made a major commitment to seeing your ministry as a major source of employment for native people.

If I can just conclude with my descriptive remarks from the same paper by Linda Wiebe:

New Careers recognizes that an attitudinal change is required, not only of the

trainee. Considerable preparation with departmental personnel is required for a successful project. For example, the Deputy Minister of Corrections wished to employ native persons in the correctional officers' series at one of the provincial institutions. Considerable opposition was expressed by existing officers, which upon investigation turned out to be based on their fear that persons trained through New Careers would eventually be better qualified for promotions. [You might expect the same kind of resistance, I suppose, in any of the ministries.]

This was resolved by opening the training courses to existing officers and in conducting workshops with the supervisory personnel in order to deal with concerns in a direct way. [They were able to deal successfully with those kinds of staff problems and those kinds of issues of organization resistance that you would have to anticipate.]

The first stage of identifying and testing the hypothesis concerning disadvantaged people in Manitoba has been completed. A 1973 evaluation study noted that New Careers as a demonstration project was successful. We recognize that New Careers, as a demonstration project, cannot affect any large-scale change in Manitoba's disadvantaged population. However, it is important because its elements of success could have implications applied elsewhere.

I suggest to you, through the Chair, Mr. Minister, that the New Careers programme has enormous relevance to this province of Ontario and that it's something your ministry should look at. You should look at what they have done in Manitoba. You should take it through the mechanisms that Mr. Herridge outlined for us earlier, either the advisory committee on Indians, or the joint steering committee, and get down to work in a serious and meaningful way about doing something about the chronic unemployment within our native communities. For us, it is a matter, ultimately, of government responsibility. There are a number of solutions to the employment problem.

I referred earlier to private sector and to community-initiated economic development projects, the third being the public sector, but all three of them require a clear commitment and assumption of responsibility on the part of the Ontario government. That responsibility has never been assumed in any real way.

[3:45]

You have all kinds of lip service and pious rhetoric about your concern about the problem and you point continuously to all kinds of inadequate employment schemes. Mostly they boil down to four weeks work, the tree-planting in the spring or emergency fire-fighting or stuff like that. They are relatively useless and insignificant in terms of the problems, and I think you know it. You know how serious the problem is. After all, these are your constituents.

I'd urge you to look seriously at that programme because I really believe it has enormous potential for dealing with a part of the problem here in this province. I'd be interested in hearing from the ministry whether my assumption is correct that it is not at the present time providing large-scale, career-oriented employment in a systematic way for native people. Either the assumption on my part is correct, or, more happily, I'm wrong and you do have some major initiatives under way.

**Hon. Mr. Bernier:** If I may respond to the hon. member, first of all, of course I would have to repeat—and you made it very clear—that this type of a career programme would encompass all the government departments. I would suggest you take it up with the Minister of Labour (B. Stephenson) who follows me in these estimates.

**Mr. McClellan:** I take it up with every ministry as the estimates come up and I've been doing it now for almost a year.

**Hon. Mr. Bernier:** The Chairman of Management Board (Mr. Auld) who has responsibility for the Civil Service Commission would be an ideal individual to discuss it with because that would spread over all the ministries.

**Mr. McClellan:** These are your constituents.

**Hon. Mr. Bernier:** Yes, a large number of them are and we employ them. With regard to some of your remarks, I have to say to you that you're not totally familiar with the nomadic tendencies of our native people. In theory, it's great. But I have to tell you they want, they appreciate and they enjoy some of the seasonal work we provide for them. That is their makeup. They love to be able to fish, fight fires in the summertime, harvest wild rice and go on to moose hunting and this type of thing. That is their enjoyment. In the past years, the Ministry of Natural Resources—and the old Department of Lands and Forests—has been one of the prime

movers in engaging native peoples, not only in firefighting but throughout the ministry and in many instances on a full-time basis and certainly on a casual basis.

We have a junior ranger programme in Shebandowan consisting of all native peoples. Experience '76, to which I referred in my opening remarks, is a new experiment which will be an ongoing one. We are employing high school students right in the community. But I think our biggest thrust is working with the various Indian bands. I'd like to point to the success of the Gull Bay band. I was up to Fort Hope to discuss with them their desire to become involved in the Kimberly-Clark proposal, to be involved from day one in the development of a major access to their particular area and to be involved in the harvesting of the resources adjacent to their particular reserve. That's right across from the Reed Paper proposal.

**Mr. McClellan:** I wanted to come back later to that kind of project. That's what I referred to as a community-initiated economic development project. I'd really like some response from you around that third option, which is providing public sector employment opportunities within, not just your ministry, but your ministry would obviously be key to that and you would have to be prepared to do it, willing to do it and to make the kinds of adjustments that the success of this kind of programme would require from a number of ministries, not just yours.

**Hon. Mr. Bernier:** Certainly, we would welcome any overall thrust from the Civil Service Commission or from the Ministry of Labour to go in this direction. We are always looking for native people to be involved in our programmes, to be a conservation officer or an economic development officer or a forester. If they are available to us, we certainly would encourage them. I'd have to say to you that I don't think we have the actual numbers of native people working with us. I don't think we have the number of Chinese people working with us or any other ethnic group, if you want to refer to them as that. We don't have that information. Because of the Human Rights Code we're not allowed to any more. But certainly the field people make a point, and if there is somebody able and capable, I'd be prepared to look into the programme to which you refer with enthusiasm.

**Mr. McClellan:** Let me forward this material to you. I maintain a kind of a sense of almost despair. It is almost a decade that I've been working in the area of native peo-

ple's issues and I have in some respects seen Ontario move backward rather than forward. It would be nice to see this government, as a government, say to the people of this province that they are concerned as a government about the problems facing Ontario's native people, that the issue has a priority for them, and that they're prepared to undertake some major projects or some major initiatives and spend some major energy and resources in trying seriously to come to grips with the problem. Instead, what we have is this morning's headlines—another land grab, another attempt to impose alien development in native communities without consideration of their rights, without consideration of their opportunities.

**Hon. Mr. Bernier:** That is not totally true. That is not right.

**Mr. McClellan:** Well, you tell me where the special programmes are that will enable the native communities to participate in any meaningful way in the job opportunities—

**Hon. Mr. Bernier:** That is one of the conditions of the agreement, if you had read the agreement.

**Mr. McClellan:** Where are the programmes?

**Hon. Mr. Bernier:** That is one of the things they will have to reveal to us in the public hearings. We have made it very clear. There was emphasis in that direction and there always will be. That has been the thrust of this government since day one.

**Mr. McClellan:** Well, your record shows—

**Hon. Mr. Bernier:** The aspirations of our native people, be they social, economic or cultural, would be fully protected.

**Mr. McClellan:** Your record shows what the thrust is.

**Hon. Mr. Bernier:** Let the record show that that is there and that is the thrust of this government.

**Mr. Wildman:** I would like to follow up on that, Mr. Chairman. I hesitate to deal with particular cases because I don't want to embarrass anyone, but if you take the Sault Ste. Marie district office, for instance, I think there are very few native people working on a permanent basis for the office. I think there are only two, maybe three, and they're working as technicians. They have a good record, as far as I know. There are certainly no complaints from their superiors about the jobs.



But they are in the position generally—as are other people, I admit—that when a promotion is available or when there is an opportunity to go into competition for promotion, the employee may have the practical skills for it but in general they do not have the academic qualifications for the job. I know of one particular case, which I won't go into, where a person could probably have done the job but he was advised by his superiors that there wasn't much use in his submitting an application simply because he did not have the academic qualifications.

What do you intend, or what are you doing now, to try to follow along with the idea that the member for Bellwoods suggested, whether he be a native person or otherwise? I think it's very important for native people, because in the north there is so much unemployment among native people, and many of them do have the practical skills which are necessary for work in your ministry and would have some of the practical knowledge that would enable them to learn and, if they were given the opportunity, to move up into higher positions. I am just wondering what you do, or is there anything that is done to try to have in-service training for people who perhaps are on the job now and would like the opportunity of moving ahead, moving out of the position they're in, if they have the ability? What programmes are there?

**Hon. Mr. Bernier:** I am sure the hon. member realizes that we have to comply with the rules and regulations of the Civil Service Commission.

**Mr. Wildman:** I understand that.

**Hon. Mr. Bernier:** This is where we're locked in. Certainly this proposal should be put forward to that body, really, in the strongest terms. There is no question that our ministry, if given the opportunity and the right to bypass some of these regulations and to consider some of the individuals on their individual merits, would be most acceptable to this. But under the way the structure is now, the civil service is a group unto itself. They set the rules and regulations; we have to comply. If we can get it to change, fine and dandy. It is the same as the unions and the companies in northern Ontario saying you have to be a union member to cut on their limits. It's the same thrust. We are locked into something. We can go so far.

**Mr. McClellan:** How do you suppose Manitoba dealt with it?

**Mr. Wildman:** I would like to point to two things. I understand what you are saying and it's certainly true, but you say to me "if we can get those things changed," and I would like to get them changed but I think that you have a lot more opportunity to get them changed than I do. I would just like to see the government and the ministry pushing for that kind of programme.

Also, you referred to the comments made earlier today about unions in the private sector. I understand that in cases where affirmative action has been taken in the United States and in other racial situations and with disadvantaged peoples, those affirmative action programmes required and involved unionized employees and that the unions were involved in those affirmative action programmes. I think the fact that there is a management-union agreement in the private sector does not preclude an affirmative action programme suggested by the government. As a matter of fact, it can help it.

**Mr. Ferrier:** It has been the government's policy and we have heard quite a bit of bragging, I suppose, by various government ministers—we heard it here today by Dr. Reynolds—about the cutback in complement; that they were not going to employ so many people in the public sector any more and we can do away with a number of jobs. Perhaps we are getting greater efficiency now from those who are in the civil service. Perhaps things that were done better are not done nearly so well now. Perhaps cutting back on your complement may have some merit at certain places.

But with this policy in action you then come in with a report—the Ham commission, for instance—that suggests you should make a major thrust in appointing more personnel to do the inspection work that should be done. You more or less agree with much of the thrust and report that Dr. Ham made, but according to my information, when there was a request made to increase the complement considerably so that the work could be done and improvements made, what happens is at some level—whether at the ministerial level or whether at Management Board or at government level—there was no permission given to go ahead with the hiring of the extra people needed to do that work.

I think that's pretty deplorable. I think it's all right to be talking about restraints and holding back where you have to hold back. As I say, there may be some merit in some of that. But when you get a thrust that you want to do a job and you get a recom-

mendation that more people be hired—and I suppose people in your ministry were prepared to go along with that and go ahead with the hiring and expand the work as was suggested should be done—then some place along the line they say, “No, you are not going to hire anybody else. You are going to stick with the complement.” I think they are working at cross purposes, either within your ministry or within the government.

[4:00]

I think somebody along the way has to face up to the thrust that's there and the people have got to be hired to do the job. Darcy McKeough runs around the province arguing what a wonderful job he's done in cutting back civil service personnel, yet when somebody else recommends that more people are needed—and it's crucial and people within the operating ministry realize that people have got to be put in place to do that work—then Management Board or somebody comes in and says, “Well, that's nice that you want the people, and maybe it's ministry policy that the work has to be done, but we're not going to give you the funds, and you can't have the complement.” I think that's pretty darned deplorable. I don't know what you've done to fight that out with your colleagues. I know it's being transferred from your ministry, but still, this is personnel policy of your ministry up to this point.

I just think there's got to be some pretty plain talking along the way to get that complement up so that that work can be done.

**Hon. Mr. Bernier:** If I may just elaborate, I think the member should realize that there have to be some pretty tough decisions made by the government in regard to budget cut-backs and restraints. They're not popular, but they're responsible.

**Mr. Bain:** What happened in the spring of 1975 with restraint?

**Hon. Mr. Bernier:** Seventy-five? What did happen? Anyway there's got to be some tough decisions.

**Mr. Bain:** Your rebates on car purchases.

**Hon. Mr. Bernier:** You're cutting back on programmes, on personnel. These things are not easy decisions but they're responsible decisions. The Treasurer and the government as a whole have to make those decisions, and we do.

In a responsible position, we are responsible, the government is responsible for the tax that has to be collected, the amount of taxes, the level of services and programmes

that are provided to the public, and in the government's opinion, if that's the direction they're going, then certainly there has to be a certain level reached and it stops there. There may be some adjustment of programmes. Maybe some programmes have become redundant and those personnel shifted into other areas of concern and need today. These are the kinds of rationalization that has to be dealt within government departments, and we're doing that now.

**Mr. Ferrier:** If you're serious in implementing the Ham commission report you're going to have to put on staff a good deal many more people. You have publicly said that you agree with the thrust of the report and you want to see it implemented. If that's the case, and you've made this kind of a commitment, I don't see how you can implement that report unless your complement goes up considerably.

I'd like to have some figures as to personnel as far as even the present complement is concerned. Have you been able to keep your present complement up in the mines engineering branch, even on the old basis? I don't think you have.

**Hon. Mr. Bernier:** Yes, Mr. Chairman, I can get the exact figures from Mr. Jewett. In the last couple of years, this is one section of my ministry that has increased its complement, fully realizing the necessity of more people to take on those responsibilities.

**Mr. Jewett:** I'm sure this book has got the figure, but I think I've got it in my head. Two years ago we were granted an increase of nine and two contract people which took us up to a total complement of 35. Of that number, we have 33 in our employment right now and two vacancies.

**Mr. Ferrier:** How long have those vacancies been going on?

**Mr. Jewett:** I would have to check, but I think it's been some considerable time.

**Mr. Ferrier:** I don't know whether it's the spot to go after you about the personnel needed for the implementation of the Ham commission report, but I think you might have some input into it. If you're to implement that report in a meaningful way, then that complement's got to go up. I know it's not going to be directly under you, but you should have some input into it, and I think that there's got to be enough people to do that job, and I hope that you will argue that point. Because I know a number of the rest of us are going to argue it in other

places, but I just want to make the point here that we need the complement to do a job, and we're not going to be very happy unless that complement is adequately appointed and the government funds it.

**Hon. Mr. Bernier:** Certainly we support that thrust. As to the exact numbers, I don't have the figures before me but I know that the minister responsible has made it very very clear that not only extra dollars will be required but extra complement too. There is going to be an amalgamation of the safety inspection branch in accordance with the Industrial Safety Act and with The Construction Safety Act. It may well be that some of those complement positions will be freed up when we bring them all together. I couldn't agree with you more. If we are going to implement and do a job we have to have extra complement. There is just no question about it.

**Mr. R. S. Smith:** I just have a question following on some of the questions that have taken place over the last few minutes. The deputy minister indicated earlier that over the past year the complement has been reduced by 375 or so.

**Dr. Reynolds:** It is of the order of 300.

**Mr. R. S. Smith:** In many ministries we have seen that although there has been a decrease in complement it doesn't mean there has been a decrease in people. How many people do you have on contract? How many contract employees do you have in the ministry that are not included in that complement?

**Dr. Reynolds:** It is somewhat of a floating number, as I am sure you appreciate, because contracts are for varying lengths of time so that over a period of a year there is a very wide fluctuation in the numbers of people who were not on full-time complement. By the end of the present fiscal year, we are committed to reduce our overall complement, that is, the number of fixed permanent positions, by 107 or 109. It is of that order in the current year. This will bring us down to just about the 4,000 mark.

In addition to that of course, we have a lot of people who come and go on a contract basis for a fixed period of time up to perhaps three years, or others who are on a purely seasonal basis, perhaps to work in parks. I am not including firefighters but, for instance, beach patrols in parks or people who do all sorts of things. At the height of last year—not this current year—in July when we had

a project of a non-recurring nature, in what we call group 1 unclassified, we had just over 3,000 people on staff, and of a seasonal but recurring nature, which we call group 2, we had just over 5,000 on staff. When that is added to our probationary and regular staff of what was then 4,125, we were at about 12,223 people.

**Mr. Wildman:** What was that figure for group 2?

**Dr. Reynolds:** For group 2, 5,056.

**Mr. Wildman:** How many of those have worked for the ministry for more than three years in a row?

**Dr. Reynolds:** Some would but not continually. It might be a nine months on and a break and that sort of thing, or they were perhaps hired specifically to do a specific job for a specific period and then break and so on.

**Mr. R. S. Smith:** My question really hasn't been answered. You must know how many people you sign contracts with during the period of a fiscal year.

**Dr. Reynolds:** I could get you the precise figure; I don't have it just now.

**Mr. R. S. Smith:** This is where we find the real discrepancies that are coming about insofar as almost permanent employees are concerned. These people are on contracts ranging from one to three to five years and in effect they are almost part of complement. For them not to be counted as complement, I think is juggling the books, to be quite frank with you. I would really like to know how many such people in there are in this ministry because other ministries just have them by the barrel. In my area it appears that a worn-out politician can get a contract with some government agency. Perhaps I will be applying for one pretty soon; I don't know. On the other hand, that seems to be the case.

I realize that there are casual employees and part-time people and youth corps and you have all these other people without which I suppose it would be very difficult to operate a ministry. But on the other hand it certainly concerns me to see people who have been part-time employees for your ministry for periods of 10, 15 or 20 years, who are still part-time employees, who are still on unemployment insurance for about four or five months of the year, and then back in your employ again in April or May. I find this to be demoralizing for those people to



say the least, in that they are not given an opportunity to have a steady job as our society considers to be a steady job with a steady income.

If, in fact, there has been created among a group of people a tendency to work about seven or eight months of the year and then go on those public assisted programmes for the rest of the year, I believe that your ministry, in my area at least, has promoted that more and given more to that tendency among people than the rest of society put together. As I look around the small communities in my area, many of the people depend on that type of employment for their subsistence level for that seven, eight months, and then they go on to the social welfare programmes.

Whether you consider unemployment insurance social welfare, or whether they go directly to the benefits provided by the provincial general welfare assistance or directly from the ministry itself, I don't believe that this creates within our people a dignity that they are a part of society, and I believe that your ministry, along with Hydro, and the Ministry of Transportation and Communications, has developed in this province a whole group of people who are in that position.

They know no different, they think no different, and they are at the point now where it's very difficult to change their pattern of living. I don't believe that's been fair to them, nor has it been fair to the society in which we live. I would like some comments.

**Dr. Reynolds:** Mr. Chairman, basically I really do have to agree with you. Yet it's an enigma of our organization, if you like, that makes it very difficult to prevent the sort of thing you have described, because as I have said, using only last year as an example, we have a high of just over 8,000, 8,100, to a low of scarcely over 1,000. We really don't need those people full-time, and we don't need people to run parks in the winter-time, for example; we don't need people to do lake surveys in the winter-time, and quite a number of jobs are strictly of a seasonal nature. So as part of an effort, and this relates I suppose to the basic administrative thrust and best utilization of funds and resources, which includes human resources, if we were to take some of those people on full time—and I have ringing in my ears references to bloated bureaucracies—what would we do with those people in the off-season, some 7,000 at the low point, that we really don't need by present standards? That is the paradox, the great problem that we face in this.

If we are to get, on behalf of the people for whom we work, the greatest value for the buck, it's not going to be through having a large body of civil servants waiting for the months to move on so that they can go out and do something active, but be on the payroll all the time.

**Mr. R. S. Smith:** I suppose it's a question of balancing the social costs as opposed to the costs of keeping these people employed during that four- or five-month period of which we are speaking. Over the past few years we have seen develop federal programmes, LIP, we have seen youth programmes developed at the federal level, we see now, which is nothing much different really, the Wintario programmes where they grant to different projects in specific areas. All of this is tied to the whole question of employment. I believe for one thing in this province that perhaps within your ministry many of the projects that are being carried out under Wintario grants could be carried out by permanent employees of your ministry during that four- or five-month winter period.

[4:15]

For example, there are Wintario grants in my area right now to provide for ski trails and this type of thing. I'm not opposed to those grants per se, but I'm certainly opposed to the fact that people are being laid off by your ministry and these groups are hiring other people to do that kind of work. There's no question in my mind that your ministry could be in there providing those facilities, as it should be really, under the recreational programmes. It could employ most of the people who are doing that type of job in the summer months and in the winter months as well.

I think it's a question of organization within government. Even if there is a slight financial loss insofar as the balancing of the books is concerned over payments for employees, I believe the social good would far outweigh the loss we might have financially by keeping those people employed on a year-round basis and giving them the benefit they so deserve, because they don't enjoy all the benefits of permanent employees and never will and never have under the present setup.

I think there can be reorganization within government to provide those people with some type of permanency in employment and the type of dignity that they do have a permanent job and do not have to depend every April or May on the good graces of the great white father of the Ministry of Natural Resources as to whether they're going

to be rehired or not. That's the way it is, and you know it as well as I do because it happens more in your riding than it does in mine.

I just put that point fairly and bluntly to you because I think we've created a group of people in this province for whom we have a greater responsibility.

**Mr. Wildman:** I want to follow up what the member for Nipissing has said. I am a little concerned about following this up because it seems to me that one of the somewhat callous reactions of the government may be that, instead of putting people on permanently who are so-called casuals or on contracts year after year after year, they may have the opposite reaction. They may say, all right, fine, let's cut them even more. It seems to me this is a very complex problem. I know of people in my riding who are obviously well qualified to do the jobs they're doing. They've been hired year after year and the district managers are very concerned and would like to have those people on those jobs every year. These aren't jobs that involve just seasonal labour, like planting trees. I know of clerks who are casuals who get hired year after year. They're doing filing and things like that and I don't think that's a casual thing.

I brought this up last spring when we were talking about the Management Board estimates. There was a particular problem there in the fact that it relates to benefits that the member from Nipissing brought up. Last year the union, OPSCU or whatever it is, was operating on behalf of some of these employees who have been denied their accumulative sick leave. They filed a grievance. We brought it up in the estimates and the Chairman of Management Board (Mr. Auld) said that he thought they were just tree planters. Certainly there are a lot of people involved in that very important job, but there are a lot of other people involved in other aspects of the ministry who are in the same position in jobs that aren't just purely seasonal.

The grievance went to arbitration in May and these people were awarded their benefits. They were allowed to accumulate sick leave. I thought the matter rested there. You still had the overall problem of so many casuals and non-classified employees who would work so many months a year, then be laid off five weeks and then be rehired and on and on. But I thought at least the problem of their benefits was settled. I hope I am wrong, but the information I now have—and I don't know whether it is just

the Ministry of Natural Resources or whether this is an overall government policy—that these people now are going to be laid off for three months instead of five weeks, so that they can't accumulate the sick leave.

To me this is a completely callous approach. You say, "You can now accumulate sick leave but you are not going to be allowed to work long enough to do it." It apparently also affects some of these employees who, under negotiations last year, were given the right to some pension benefits. It affects that. I would just like to know what obligations you have, and you feel you have to these employees. If the jobs lasted for longer before, why is it now they have been cut to nine months and maybe even six months? Is it to prevent them from benefitting from the few benefits they are allowed to get from their jobs other than their pay? I think it is very unfair.

As I say, I am concerned about bringing this up, as Mr. Smith brought it up, in case you may just decide, "Let's get rid of these employees so we don't have it brought up every year." I think you owe these people something and I don't like the idea of them being cut on the basis of saying, "They aren't permanent so therefore they shouldn't be allowed to collect their benefits."

I have a couple of other questions but I would like you to respond to that before I bring them up.

**Hon. Mr. Bernier:** Certainly, we are concerned with the new thrust of Management Board and the civil service that there will be a three-month separation instead of a nine-week period before. We appealed that decision and it's before Management Board now. We don't like the five or six weeks that is in place now. I think we find it very difficult to keep the type of staff that we have in unclassified areas. They have a certain amount of expertise. Many of them like that kind of break; there's no question about that, they like it. But it's a problem and we have to admit it.

**Mr. Wildman:** They are not looking forward to a three-month break though.

**Hon. Mr. Bernier:** No, that's true. If we go to a three-month break, as we put it in our appeal—

**Dr. Reynolds:** It's in suspense at the present time, pending this appeal that we and others are making, so I don't know where that will go. But as I said, there is no question we could not function in this min-

istry without these people at one time or another. It's troublesome and I don't like it but I don't have anything to put before the committee—

**Mr. Wildman:** If they are as necessary to your operations as you say they are, surely you owe them something as well.

**Dr. Reynolds:** Yes, I think you are right. Mr. Smith has said it wouldn't cost very much, and perhaps it wouldn't. In other words, there would be offsetting savings; I guess that's what you are saying. I think the figure we have for the casuals, the unclassifieds that we had last year—and the payroll for the time they were on showed a total of 17,500 names passed through our payroll in one year—was \$44 million. So it ain't cheap.

**Hon. Mr. Bernier:** Substantial. Just one ministry.

**Mr. R. S. Smith:** How much do you pay those same people in social welfare benefits?

**Dr. Reynolds:** That's what I thought you meant by offsetting, but it's hard for a single ministry to absorb that sort of thing.

**Mr. R. S. Smith:** That's why it's a government thrust.

**Mr. Wildman:** The other thing that I wanted to bring up is that I got the impression from your comments, Mr. Smith—I may be wrong—that you felt a lot of them wanted to be casual. I think that's true of a number, but there are also a lot of them who would like to be permanent employees and would like to have a permanent job, many of them who have academic training for employment in your ministry.

**Dr. Reynolds:** Well, I'll go further than that and say to you that we have a considerable investment in these people, to be quite hard about it.

**Mr. Wildman:** We've educated them. We've trained them.

**Dr. Reynolds:** Yes, we've contributed to their expertise that they bring to us over a period of years. It's the mechanics that are so difficult.

**Hon. Mr. Bernier:** We are not unmindful of the situation and the hardship it creates. We are doing all we can from this point of view.

**Mr. Wildman:** But it is under appeal right now?

**Hon. Mr. Bernier:** Yes, under appeal.

**Mr. Stokes:** I wasn't going to speak on this, but just to highlight the thing: Out of your 49 district offices there are a good many of them where, of the permanent office staff who have this expertise that you speak of and in whom you have an investment, one of them will be permanent staff and the other eight or nine or whatever backup staff is required to maintain that office will be casual.

I don't doubt your sincerity and your efforts to try to right that injustice. It is an injustice to the ministry. It is an injustice to the people who are trying to make the system work, because where you get one permanent backup person out of nine—and I know of one office where that is the case—it's extremely difficult for them to keep that office operating in the manner in which it has to operate to be effective and efficient to provide the kind of services that we would all like to see provided to the public. More power to you, but if you want some ammunition, just send a circular out to your 49 offices and say, "How many of your backup staff are permanent?" You might get one out of eight or nine.

**Dr. Reynolds:** Mr. Stokes, we have 211 provincial parks, or something like that—

**Hon. Mr. Bernier:** One hundred and twenty-three provincial parks.

**Dr. Reynolds:** I was trying to make the story better than it is, or worse than it is. But of the 123 provincial parks, we have fewer than 30 without any permanent staff. So in other words, quite a substantial number of provincial parks are operated totally by seasonal people.

**Mr. Stokes:** That's bad enough, but where you have a permanent office that's operated in large measure by casual staff, it must be hell to try to keep it going.

**Mr. Wildman:** Like the Blind River office.

The other one that's on a different topic relating to the number of personnel, relates to what the member from Timmins had to say about mine inspections. I was interested in the number of people you said you had on staff. I am just wondering how long it usually takes to get an inspection when one is requested.

**Hon. Mr. Bernier:** In the mines engineering branch?

**Mr. Wildman:** Yes.



**Hon. Mr. Bernier:** It all depends on the urgency of the inspection. If there is a fatality, we are there immediately. If it's an extremely hazardous condition, very quickly. If it is just an ordinary request, maybe a period of time lapses before the inspector can get there.

**Mr. Wildman:** There's a case in Wawa, Algoma ore division, where the union from Elliot Lake requested an inspection. The letter was written April 15 and there was correspondence after that saying they would be a while, that they needed to get the equipment, I think.

**Hon. Mr. Bernier:** To do the testing?

**Mr. Wildman:** Yes.

**Hon. Mr. Bernier:** Must be dust testers, or something like that.

**Mr. Wildman:** It was a test of ammonia nitrate; the toxicity of ammonia nitrate, the blasting agent. There's a Workmen's Compensation Board case pending that relates to this problem. There is apparently a very rare disease which may be related to this and that's why the union requested an inspection. To my knowledge, no inspection has yet taken place. I am just wondering why.

**Hon. Mr. Bernier:** I don't know the specifics of it. Maybe Mr. Jewett has some information.

**Mr. Jewett:** I haven't got the specific answer; I can get Mr. McCrodan here in a moment. I do know that an inspector was in Wawa on Monday and Tuesday of this week, but it is hard to believe that there has not been an inspection since April. I would have to get Mr. McCrodan here to get you that specific data.

**Hon. Mr. Bernier:** Will you check on it, George?

**Mr. Jewett:** Yes, I will.

[4:30]

**Mr. Wildman:** If he was there and did it I'm glad, but I still wonder why it took that long; from April till this week.

**Mr. Jewett:** I can't believe it did take that long, sir, but I'll have to get Mr. McCrodan in here. We make inspections a good deal more frequently than that. We have some 30 inspectors in the field and Wawa is not exactly on the beaten track, but it is not that far off the beaten track.

**Mr. Wildman:** It's on Highway 17, which is supposed to be the beaten track.

**Mr. Jewett:** Our inspectors operating there are operating out of Elliot Lake or out of Sudbury and that's a fair way.

**Mr. Wildman:** Would that be correct?

**Mr. Jewett:** I believe that would be correct.

**Mr. Wildman:** All right, if you could get me that.

**Ms. Bryden:** Mr. Chairman, I would like to underline some of the points that Mr. Smith and Mr. Wildman have made about the contract employees. I certainly think that these employees who are on a contract basis for long periods are being unfairly treated if they're permanent employees in that they don't get the same benefits and they don't have the same security. It looks to me in a way, with this new Management Board rule that they can only be kept on for nine months and have to be laid off for three, that the chickens are coming home to roost.

If they had been made permanent employees, since they were full-time year-round employees in most cases, they couldn't be treated in this particular manner and they would then be part of the complement and then it would be a question of whether they were essential to the complement or not. So the problem that the ministry is having with its permanent contract employees is partly of its own making. It could have had a great many more of them on permanent.

There is a cost that hasn't been mentioned with regard to this new Management Board policy, and while the minister and the deputy say they are fighting it, I don't know whether they've worked out with Management Board what the actual cost is. The cost is that the few permanent employees in the regional offices who are left are finding that the contract employees are leaving because they can't afford to operate on a nine-month job. They have to get a job that pays them 12 months. A lot of them don't want to live on welfare or unemployment insurance for the other three, and so they're seeking new employment.

I've been told by some people in the regional offices that they're spending half their time recruiting and training new people, because of the turnover that's resulting from this new policy of nine months on and three months off. I think Management Board ought to be looking at whether it's false economy that it's practising. There is also, of course,

the question of whether it's doing what might be considered a socially undesirable thing by forcing the rest of people on unemployment insurance to pay wages for three months of employees who should be year-round employees.

This whole question of whether the government is cutting back staff or not has really become a con game because they refuse to give us—I asked Mr. Auld over a year ago—the figures of the total number of man hours of contract employees in the previous fiscal year and in the first fiscal year when the restraint programme started. I haven't been able to get them yet, and until we get such figures we cannot find out really whether the reduction in complement is offset by an increase in contract man hours. It seems to me that shouldn't be so difficult. I just would like to ask the minister, is it possible to get the number of man hours of contract work for the ministry for, say, 1974-1975 and 1975-1976, so that we can compare it with the number of contract employees who are reported to have been reduced in this announcement about so-called restraint?

**Hon. Mr. Bernier:** May I ask Mr. Doug Spry, the executive director of finance and administration, to comment?

**Mr. Spry:** Mr. Chairman and Mr Minister, it's certainly possible to get that information. It's a rather major job. I'm sure it's mainly because the payrolls are being processed on a computer basis, and one has to extract from the records all of the various attendance slips or time reports that each of these individuals has submitted.

As I think the deputy minister said, we had a total of 17,500 of these people, or thereabouts, on the payroll over the course of a year. These slips don't fill the room but there are a great many of them, so we would have to hire, I suppose, contract people in order to secure that sort of information. It would take us a fair length of time to do this. It's a possibility; it can be done all right.

**Ms. Bryden:** Would the computer not be able to produce it fairly quickly from the paysheets?

**Mr. Spry:** The computer programme doesn't identify the number of hours except for those employees who are paid on an hourly basis of course, but most of them are not on that basis.

**Ms. Bryden:** But there is a standard work week when they're paid on a weekly basis.

**Mr. Spry:** Well, not really. There are quite a large number of different work week arrangements, and one would have to take all these into account. Yes, I guess eventually a computer programme could be written and the information punched in and so on, but I think it would probably be faster done by hand, if it is a one-shot effort.

**Ms. Bryden:** We did ask Mr. Auld if this sort of information could not be started, to collect it for the future, for this fiscal year. Has any thought been given or arrangements been taken to start collecting this information for the future?

**Mr. Spry:** I'm not aware that in our ministry we have been asked to do that to date but I would have to check to be absolutely sure. It is a major problem. I think probably as the whole government is getting on to this revised system of payroll and personnel records, the IPPEB system, that when that is in place—and it will be in place for us in the very early spring—it will be much easier to do that. I imagine that is the reason for not trying to introduce an ad hoc programme at the present time, to secure that information.

**Ms. Bryden:** Until such information is provided, it is almost impossible to prove that there has been a reduction in staff for the government because nobody knows the second half of the equation, how many contract employees there are, and how many contract man-hours there are.

**Mr. Wildman:** Mr. Auld doesn't know?

**Ms. Bryden:** No.

Item 6 agreed to.

On item 7, junior rangers:

**Mr. Williams:** You touched briefly on the junior rangers programme in your opening remarks. The number of young people engaged in the programme is impressive. Particularly what I believe is a greater opportunity being afforded to young girls as well as boys to participate in the programme stands out. The number of locations and districts that are involved in the programme certainly are to be commended.

There is something I am not entirely aware of though—and perhaps you or your staff could give us some comparative statistics. There is a substantial increase in the programme between last year's budgeted figure and this year's, which obviously indicates that the programme was substantially expanded. Perhaps we could have a little more

information that could be useful to us. It certainly is an excellent programme and I've heard no criticism of it at all, but I am just wondering to what extent it was expanded and what projections may be down the road, although that may extend beyond this budgetary discussion.

Further, I am wondering if we could have some information on the resource people who are on staff to act in an administrative and supervisory capacity for these young people who are engaged in the programme and also any of the other resource material that may be necessary to make these programmes effective at the various locations.

**Hon. Mr. Bernier:** Yes, Mr. Williams, I will give you a brief rundown on the type of achievements for the 1975-76 programme and I will ask Mr. Spry to elaborate on further statistical information. But boys and girls, as you correctly point out, were involved in this programme, environmental cleanup, timber thinning and pruning stands, cone collecting, tree planting, rail clearing, township survey lines remarking, cutting out portages—

**Mr. Williams:** I'm sorry, what was that last part?

**Hon. Mr. Bernier:** Township survey lines remarking—remarking the township area—cutting out portages, particularly in northern Ontario, from one lake to another, campsite development and improvement, provincial park maintenance—in some instances we used junior rangers—construction of small bridges, docks and boat launching ramps—and this was a very effective programme—practice as unit crews in the use of firefighting equipment. Believe it or not, all these programmes involved girls as well as boys. The girls indicated to us that under no circumstances did they want to be treated differently, and that they wanted to be active in cutting out portages and building docks and bridges like the boys were. It's really one of the success stories of our ministry.

We had about 1,606 participants last year—1,126 male participants and 480 female participants, and that is up from 456 the year before.

**Mr. Williams:** I'm sorry, what were last year's figures?

**Hon. Mr. Bernier:** The boys decreased from 1,162 to 1,126 and the girls went from 456 to 480; so that's an increase in girls and a slight decrease in the boys.

**Mr. Williams:** That's 1,152 for boys last year?

**Hon. Mr. Bernier:** No, 1,162—it decreased from 1,162 to 1,126.

**Mr. Williams:** I see, and the girls were up.

**Hon. Mr. Bernier:** The girls were up, and it's reported to me that about 90 of those girls were actively involved in firefighting activities, here again indicating that they wanted to be involved in all the activities that were made available to the males of the junior ranger programme.

**Mr. Williams:** So virtually the same programme is available in either case.

**Hon. Mr. Bernier:** Identical, yes. There's no difference.

**Mr. Williams:** With regard to the camps themselves, I'm not familiar with the exact structuring of the camps. Are some of them much larger than others, or are they pretty well the same type of component as far as facilities, the size, staff and so forth?

**Hon. Mr. Bernier:** Maybe Mr. Spry could answer that specific question. I believe they're just basically about the same.

**Mr. Spry:** A standard camp is 24, but we do have some that are double that size and we have a few that are smaller. For example, the Moosonee camp is smaller, and I guess that's the main one that comes to mind at the moment. But we have double camps, if you'd like to call them that, basically because the facilities are available to us.

**Mr. Williams:** When you say 24—

**Mr. Spry:** They normally operate in three groups of eight. This is the way the programme is structured most times.

**Mr. Williams:** Eight youngsters to a unit?

**Mr. Spry:** A work programme is worked out and will normally involve eight. They could all be together for certain programmes—they are for the educational aspects of the programmes—but for the work aspects normally they're in groups of eight.

**Mr. Williams:** So there'd be about two dozen youngsters in one camp, and how many supervisory personnel would there be?

**Mr. Spry:** There would be three normally, a foreman and two sub foremen.

**Hon. Mr. Bernier:** It's interesting, Mr. Williams, I visited one of the girls' junior



ranger camps and made it a point to ask the girls how we could improve the programme as they saw it, and it came to me loud and clear that what they wanted more of was mail and males. That was the extent of their request.

**Mr. Williams:** When do the camps start? July 1? Do they start as soon as school is out?

**Hon. Mr. Bernier:** I think it's the first week in July and goes to about August 23. Am I correct in that?

**Mr. Spry:** I believe it's eight weeks.

**Mr. Williams:** And they're all programmed on the same basis?

**Hon. Mr. Bernier:** And they get paid \$10 a day—

**Mr. Spry:** Six days a week.

**Hon. Mr. Bernier:** —six days a week.

**Mr. Williams:** You have 63 camps this year budgeted for. How many were there in the preceding year? How many more camps have been added?

[4:45]

**Hon. Mr. Bernier:** Do you have that?

**Mr. Spry:** The difference might be one camp or two camps, depending on which ones we are replacing, or we may add some places to one particular camp. I would have to go back and check, but it wouldn't be materially different from one year to the next.

**Mr. Williams:** The 36 districts are determined on what basis? Just pure geography?

**Mr. Spry:** The sites are selected for the camps and they all fall within a district. Some may have as many as two or three; others may have no camps at all.

**Hon. Mr. Bernier:** You are aware that the programme is designed for those boys and girls who are 17 years of age.

**Mr. Williams:** Yes. It was 18 at one time as I recall, was it not?

**Hon. Mr. Bernier:** Away back.

**Mr. Stokes:** Yes.

**Hon. Mr. Bernier:** We had to withdraw it or pull it back after the age of majority was changed and other benefits were given the 18-year-olds. It made it easier for us if we

were just dealing with 17-year-olds and we could make sure that the alcohol problem wasn't with us.

**Mr. Williams:** There is just one other question I wasn't clear on: The students who are accepted for the programme are reimbursed as you have indicated on a per diem basis; is there a travelling allotment allowed to them? I have read through the brochure, but I have forgotten that point.

**Hon. Mr. Bernier:** Anything over \$25 is paid for by the ministry. They pay the first \$25 and we pay the additional.

**Mr. Williams:** It's certainly an excellent programme, Mr. Minister, but I was just wondering. It seems to have expanded considerably since last year, but it's not so much in new sites but in additional people being taken on.

**Hon. Mr. Bernier:** It's one of our success stories. We are very proud of it.

**Mr. Williams:** And there is no indication of any weaknesses in the programme that would suggest change in the way in which it has been presented?

**Hon. Mr. Bernier:** No way. I think that this is one programme that gets support from all political parties.

**Mr. Bain:** It is because you are doing a good job on this one.

**Hon. Mr. Bernier:** We try to look after all their requests too.

**Ms. Bryden:** Mr. Chairman, I just have two or three questions. I would like to commend the ministry on the programme and on opening it up to girls. I think that was a really progressive move, but I am a little disturbed at the male/female ratio. There appear to be only half as many girls as boys benefiting. I wonder how the applications run. Do they run in this ratio? That's my first question.

My second question is: How many applications are received and how many are accepted? What is the demand for this kind of programme?

The third point is how the applications are processed. Last year, I understood that people were asked to write before Christmas because the application forms weren't printed until after Christmas, or to telephone, but that no record was kept of the order in which these letters or calls were received. When the application forms became available they were sent out to the people and then they were

processed in the order they were received back in. In some cases there were delays in the mails, both coming and going; in some cases it took time to get the necessary signature from a school principal or whatever is required, which meant that somebody who perhaps applied as far back as August but didn't get their application in until maybe January 15 or 20 because the application didn't get to them, got so far down on the list that they didn't qualify. These people felt very aggrieved because they had made an application away back six months before, but there had been no recognition that that came in early. Is there some way of correcting that sort of unfair queuing?

**Hon. Mr. Bernier:** I appreciate your comments about the programme. There has been a steady increase in the number of girls in the programme. I think the first year we started with just four camps—or was it two, when we first brought it in two or three years ago?

**Mr. Spry:** I don't really remember, Mr. Minister. It was a very small number anyway.

**Hon. Mr. Bernier:** Yes, it was a very small number, and it's up 18 or 19 now. There has been a steady climb in the number of girls attending the junior rangers programme and, of course, a corresponding decrease in the boys. Maybe Mr. Spry can give us the exact number of applications and the various points which you bring up with regard to it.

**Mr. Spry:** I can't give you the exact number. This year, though, there were considerable applications that couldn't be accepted, you're quite right. A year ago, or I guess two years ago now, the rate seems to have something to do with the applications. The change to \$10 made quite a difference in the number.

But we weren't able to accommodate everybody. I have to get the exact figures. A significant number were not accommodated. We had some trouble this past year with the mailing arrangements as you described them. Our policy is first come, first served. And those who can't be accommodated are kept on a waiting list and added as people drop out. I think in this past year there were some cases that appeared to be unfair with those who had made an application of sorts earlier, even though the form wasn't available, I believe we accommodated pretty well all of them who were still interested before the camps actually opened.

The system was not working well last year, but I see no reason why it shouldn't work very well this coming season.

**Ms. Bryden:** Are there any plans to record applications in the order they are received, whether they're formally on an application form or by letter or by phone?

**Mr. Spry:** Normally the application forms would be available, and we would record them definitely as they are received, in chronological order. That's our intention, and it's the way we have operated most years. This past year, as I say, there was a problem with the printing of the application forms. As a result people were applying by phone and by letter and various other ways and we tried to record these properly. But I'm afraid the system did break down; I must admit that.

**Ms. Bryden:** It seems to me that a letter should be considered the same as an application, for the purposes of queuing anyway. They may ultimately then be rejected because they aren't able to fill all the requirements on the application. But at least a written request should be put in the order it's received, because there are always problems in the mail. The application may be delayed in getting to the—

**Mr. Spry:** Yes, they're mailed to the wrong places sometimes, despite the fact that there's an indication on there where they're to be mailed. This is a problem we try to meet and we try to be as fair as we can in it. Undoubtedly there are cases that slip through and aren't properly recorded. That certainly was the case this past year.

**Ms. Bryden:** Will you also be able to get the ratio of male-female applicants?

**Mr. Spry:** Yes, I could do that. I think it's roughly in proportion, the number of places we allocate. But I'll get the figures, and we can show that.

**Ms. Bryden:** Thank you.

**Mr. Lane:** I'd just like to take a moment to say a good word about this programme, as other people have in the committee. I think it's a tremendous opportunity for our young people. I know I've had many young people come to me after they've been in the programme, and write letters to me, and I get letters from their parents saying how much they enjoyed it. In fact, I talked to a number of people who are now game overseers and have other positions in the ministry who originally started out as a junior ranger, so

it has sometimes helped them to choose their life's profession.

I'm glad we do have the girls involved in it. Ms. Bryden has mentioned the difference in the numbers and I suspect that this would change as years go on, because it's pretty new to the girls. All I would hope is that we'll continue to have the programme and extend it when we can to give young people an opportunity not only to earn some dollars in the summer but get a good return on the dollars. Because they did do a lot of work for us, cleaning up parks and thinning out bush and this type of thing. As my friend from Nipissing was talking a few minutes ago about social good, I can say that this programme is high in social good. Certainly that's the way I would see it. I just hope we carry on and expand it when we can.

**Hon. Mr. Bernier:** Thank you for your comments.

**Mr. Chairman:** Is there any further discussion on this item?

Item 7 agreed to.

On item 8, northern affairs:

**Mr. Stokes:** On item 8, I see a very able director, Ralph Scott, has been sitting here patiently for several hours now. He's asking for \$1.133 million which is a slight drop from last year. I think we shouldn't let this go by without commending him for the job he and his staff are doing. I know I have two of those offices in the riding of Lake Nipigon staffed by Bev Young in Marathon and Janie Lutes from Geraldton. They're both doing an excellent job.

Janie was down in the service here and has adapted very well to the north. She is getting out into the woodlands divisions of several of the companies and making her presence known, even to the extent that she's assisting in the incorporation of many small groups that need some legal status in order to do business with various government agencies. They're both doing an excellent job.

On behalf of the people of the riding of Lake Nipigon at least, Ralph, I like to commend you and your staff for the job you are doing. It is performing a very useful service, and keep it up.

**Hon. Mr. Bernier:** Thank you, Mr. Stokes.

**Mr. R. S. Smith:** Mr. Stokes and I have a different opinion. We always have on this one. I don't think our opinion differs that greatly. I think it's a question of where the offices are located. I think there are some parts of the north which do require the serv-

ices of the northern affairs offices. I think there are other areas where they are a waste of money. It's not the first time I've said this; I've said it for about five years in a row so I'm kind of used to saying it. I'm used to the same result too, and that's nothing.

That shows you the efforts the government is making in cutting back expenditures where they're unnecessary. In my area particularly, I have one office which does perform a very worthwhile function and I think it is a great asset to the people whom it serves.

I have another office which I believe is a very expensive office to operate but at the same time it provides a very minimal amount of service because the city is served very well otherwise. You have a field office or—not a regional office but a ministry office in the—we don't have too many high-rise offices but we do have a few and you have your office in the most expensive one in town.

About a football field away from that, in the second high rent district, you have your northern affairs office. About another football field away from that I rent my constituency office in the rather poorer section of the rental district. I'm pointing this out to you because of the difference in the rents—from \$7 per square foot, \$4.50 and \$2. I point out to you what the difference is.

That's not significantly important, though; it's the service which is provided. I've done some rather in-depth studies into how many people use which offices. I must admit that I didn't study how many people were in and out of the office of the Ministry of Natural Resources because it's on the third or fourth floor and I couldn't do that anyway. It would not serve a purpose because they only go there for one purpose.

The other two offices, the northern affairs office and my office, serve the same people in basically the same type of area. Although I think the office I operate, at government expense, does provide a further service in that there is a member present at some time or other during the week—I think we're all in that same boat; each and every one of us here—we are perhaps a little more capable of getting results from the other ministries than is the Ministry of Natural Resources.

I did do a survey of the number of people who went in and out of each office. It wasn't paid for by my constituency office; it was paid by other sources, mainly my own money. There were twice as many people who came to my office as came to the northern affairs office. There were over three times as many phone calls to my office as to the northern affairs office.



[5:00]

My office is operated on a total budget of about \$12,000 a year and I believe we're servicing somewhere in the area of four times as many people. I think that with one girl in my office at the salary that we're all given by government to pay that she's not over-worked. In fact, I think our workload could increase by another 25 to 30 per cent and we could still run a very efficient office and provide a very good service to the people of the area.

When I look at that and compare the office down the street it must be costing the taxpayers somewhere in the area of \$40,000 a year. I say to myself it's time a close look was taken at this whole situation. I don't say that every office should be closed. But I think it's time that this ministry, if they're at all cognizant of the fact that they're cutting down in other areas where money is really required, look at this programme and decide which offices are required and which ones aren't.

If you're a member from northern Ontario you're supposed to sit back and take anything you can get and say nothing, whether it's good, bad or indifferent. But I'm telling you that the people of northern Ontario are a little more sophisticated than that today. That may have worked five, eight or 10 years ago but it doesn't work today. People in northern Ontario want value for their dollar just like people anywhere do. When they see an office that is not producing for that area, and really has no *raison d'être* as far as the area is concerned, then it's time government took a look at it.

I brought this up year after year and I'm going to continue to do that as long as I'm here because I think that's my responsibility. I know it doesn't make me too popular with the fellow who runs it or with the people who work there. On the other hand, they can be provided with jobs otherwise in government where their abilities may be used to a much greater extent.

The fact of the matter is, most of the work that is done in the northern affairs office in North Bay is work that is usually done by the Ministry of Labour. The Ministry of Labour from Sudbury should have a satellite office in North Bay serving that area and the northern affairs office should be out of that. They, in fact, are the office for the Ministry of Labour and the great extent of their work is in that one specific area.

I'm not pleading with you to close the office or anything else. I'm just asking you

to take the whole programme right across the door, and write down particularly the fact that we as members over the past years have been provided with funds to service people in very similar ways—in fact, to a greater extent. We do have privileges that are not those of the northern affairs offices. In light of that fact I think it's time that a whole reappraisal was done on the programme and that an adjustment was made as to where and when these offices are needed.

I'm not saying that the three offices in Jack's riding aren't necessary. They may well be necessary in that riding. They may well be providing a good service. What I am saying is that there are some offices that are a waste of government money and it's incumbent upon this minister and the northern affairs section of this ministry to look at it closely, because it's almost a joke with most people to watch it from day to day. I firmly believe that it's not the fault of the people involved. If I was put in an office and paid good money and given a car to drive around and paid \$18,000 or \$20,000 a year, I'd sit there for eight hours a day and drive home at night and put in my time as best I could. I think everybody is like that. I think that's human nature.

On the other hand, those above that level have a responsibility to see that that doesn't happen. That's all I have to say on this.

**Hon. Mr. Bernier:** Mr. Chairman, I just want to point out that in 1971 the number of transactions by the entire branch was about 58,000 or 59,000, and in 1976 we estimate about 240,000 inquiries or transactions. So in 1975 about 26 per cent of all the transactions we dealt with were of a federal nature. I have made it known on many occasions to my own staff, we've discussed it, and we've made some overtures to try to get some financial assistance from the feds—

**Mr. R. S. Smith:** You missed the point completely.

**Hon. Mr. Bernier:** I'm getting to your point. We've always felt they should contribute but, on the other hand, we've also always felt that service should not be denied the public of northern Ontario, because we have the offices established, we have the communications system and, if we have the time and we can do it, let's do it for the public. If the federal government does not see fit to assist us financially, then we will still accept that responsibility.

I'm prepared to have a look at your suggestion; I really am. I think that during this

period of constraint, and when the dollars are getting a little tight, in all our programmes where we're anxious to improve our customer services, we should have a re-examination of all the offices, a very careful assessment of what they're doing and how they're operating as it's related to the service they're giving and the cost to the area they're servicing. So I'll take your suggestion and we will do an in-depth review of the various offices, which now number, I believe—is it 24 or 25?

**Mr. Spry:** Twenty-four and a half. We have one person in Moosonee. We really have 25 locations, I guess.

**Mr. R. S. Smith:** I would be very interested in seeing the results of your review, Mr. Minister.

**Hon. Mr. Bernier:** Yes. We'll make sure that you do.

**Mr. Ferrier:** I would like to say that in our area the northern affairs offices have been very well received and they do provide a service to the people as far as transactions with the government are concerned. They also provide a liaison with certain groups that come into the community and organize things for them. I made use of them when the select committee on highway safety came into our area. They did a very good job of publicizing the committee's coming; I think we had a pretty good meeting there, and a lot of the work was done by them. I also found, when Wintario came in during the winter carnival, that they did a fair amount of advance work and organization on that.

They also make their presence felt in a number of community efforts where I suppose the resources of the government can be made available in an indirect way, in terms of secretarial work, photocopying or things like that, to shore up the community. They now travel to the various areas of the community on a regular basis and provide a service.

They also used to do a lot of work with compensation, but we've been successful in getting the compensation board to have a full-time person in our area. I would like to say that my office co-operates with them; if there's something we want, and we can get the service from them, we certainly co-operate with them. And if there's some problem where they feel something of a political nature is needed to get some movement, they refer it to me. There's a pretty good co-operative effort there, and I think they provide a good service.

I don't know whether they do this in the other branches or not, but one thing they do in the Timmins area is they fill out a lot of income tax returns for the handicapped and for senior citizens. In view of the complexity of these returns, and a lot of people never having been brought up to complete a difficult return, it's a worthwhile service that they provide.

There is one question that perhaps you could answer. Northern affairs does put on a weekly television show in our area. Various government personnel, political and civil service, come up to explain programmes and operations of government agencies. Is this programme paid out of this northern affairs budget, or where is the funding of that programme from?

**Mr. Spry:** Yes, it is. We have a very good arrangement there; and perhaps if you want more detail, Mr. Scott might come and describe just exactly what arrangements we have which have changed substantially since last spring with the station and more coverage. Would that be of interest?

**Mr. Ferrier:** I'd like to know and perhaps Mr. Scott would tell us.

**Mr. Scott:** This is a public service programme that runs back about three and a half years. It started out at no cost. About two years ago, we decided that we wanted to control it so we started paying for it. We get it very cheap. We pay between \$400 and \$500—It's between \$5,000 and \$6,000 a year and we run the 52 weeks, so it's about \$100 a week. It runs for half an hour. It just switched from Wednesdays to Thursdays at 4 o'clock. We were at 2:30 on Wednesday.

During the summer, we ran for an hour. We pre-empted the Edge of Night and ran for an hour.

**Mr. Bain:** There goes your good public relations.

**Mr. Scott:** The people down in the southern part of the northeast were asking about this programme, so the station in Sudbury picked it up, and the satellites, and we were running during the summer on the complete mid-Canada network, which gets all of north-eastern Ontario except Sault Ste. Marie. It also gets into parts of western Quebec and down into Parry Sound and Muskoka. This was so successful during the summer that they asked us to start a second programme in Sudbury this fall and our facilities and equipment and manpower were such that we couldn't do it. So they accommodated us and

switched our time in Timmins to a time that was satisfactory to the Sudbury station. That's why we went from Wednesday to Thursday.

We're a bunch of amateurs, but we're running a very successful half hour television programme that won an award last year from the station as the best of its kind in Canada or something, I'm not sure what the category was. It's basically a talk programme. We do try to get all the information we can on government programmes and the updating of government programmes and changes in government programmes. Occasionally we get something controversial in; and we do whip in a percentage of federal programmes.

Earlier in the summer programme we had an information officer from the NORAD base in North Bay up with a slide presentation. He told all about the big hole they have there and everything, and some character phoned in from the Sudbury area and wanted to know about unidentified flying objects. This boy sheered off from that and had nothing to say. He said: "I don't know anything about them." From then, we got some letters on this subject, so about two weeks ago we had a learned gentleman from the federal government in to debunk unidentified flying objects. We have a lot of very disillusioned northern Ontario people now. But it's a lot of fun. We enjoy running this programme.

**Mr. Ferrier:** I wonder if you could follow that up. You mentioned going into the Sudbury area. Is that on CTV, CKSO station in Sudbury?

**Mr. Scott:** It's on the CBC station in Sudbury. There's one of each in both Sudbury and Timmins.

**Mr. Ferrier:** So the mid-Canada Sudbury studio wants to get in on the action and have the opportunity to phone in directly from there to the personnel? Is that sort of the—

**Mr. Scott:** We stuck our neck out and we pick up the collect calls within the listening range. It runs somewhere around \$25 to \$30 dollars a week. We were hoping it wouldn't be more than that because we really haven't got a TV budget. We have to find this money elsewhere in our vote.

[5:15]

**Mr. Stokes:** Very briefly, what kind of instructions, if any, do you give to your northern affairs officers with regard to their

participation in the community, particularly in northern communities where it requires a fair degree of participation by knowledgeable people, people who know their way around, in order to make service clubs work and to foster a community spirit and to sort of cut down the barriers between local organizations and the people down here? Is it your intention to deny your northern affairs officers the right to get involved because of fear of a conflict of interest simply because their organization, or the organization they belong to, might by some strange coincidence become eligible for some form of government assistance, such as Wintario or something like that? Surely you wouldn't deny a northern affairs officer the right to participate in that kind of community endeavour and surely you wouldn't deny that community the right to that particular expertise?

**Mr. Scott:** Mr. Stokes, you know very well that we issue very few instructions to our officers; I think you are aware of that. They were told in 1970 that there was a job out there, get out and do it. That is what they are doing.

Community participation has slowed a little bit in the last couple of years because our volume of government work has picked up and we just haven't had quite as much time. As you are aware, a lot of these people are working long hours as it is. They don't work from 8.15 to 4.30 or 9 to 5, and there just isn't the time to do a lot of the community things they used to do.

They are still doing what they can. What we like to see them do is get in on the worthwhile things that come up and help get them organized, provide all the backup and the contacts, and perhaps do a little advising as to where funds are available; get the thing running and then step back.

**Mr. Stokes:** You don't want them to become involved in the day-to-day operation of those organizations?

**Mr. Scott:** Not on a permanent basis, sir.

**Mr. Stokes:** Surely, in their off-hours that should be left to their own discretion?

**Mr. Scott:** I don't object to them doing anything in their off-hours but there are a lot of things that require day time—for example, in northwestern Ontario we seem to be involved everywhere in these swimming pool complexes. We have been basically responsible for the construction of complexes in Fort Frances, Dryden and Atikokan—three



that I can think of. There has been a need and we've gone around and stirred up the service clubs and others and said, "You can get money here; you can get money there; you can get money here"; and we got them going. Once a service club or some other organization has picked up the ball and is really running with it, we step back and remain in an advisory capacity. This is good for the community. They are developing leaders.

**Mr. Bain:** It doesn't seem to be totally clear to me. Do you mean that if a northern affairs officer chose to run for the presidency of the Kiwanis or the Lions or whatever else it was, on his own time and he wanted to be actively involved in that, you would say no?

**Mr. Scott:** Sir, I have been president of service clubs. Maybe you have, too. Don't try and tell me that this is all stuff that you do in the evening. If you are president of a service club you are doing all kinds of work during the daytime, too, at the expense of your employer. We don't stop them from being president of a service club because all of my people or the majority of them are very active in service clubs because this is where you find out what is going on in the small community, in the service club. Before a man becomes president, he talks it over with his regional supervisor and they look at the man's work load realistically. If the man can handle it then we say, "Fine; go ahead and be the president this year."

**Mr. Bain:** Isn't that a little unusual? I don't know many jobs where you have to—certainly, I didn't, as a teacher, have to discuss it with my department head or my principal or the Board of Education if I was to undertake any extra activities. I know lawyers—well, lawyers are accountable to no one, of course.

**Mr. Scott:** If you were a teacher, sir, I doubt very much whether you could be an effective president of a service club if you were tied in a classroom all day, every day. I've been through this.

**Mr. Bain:** Oh, you'd be surprised how active teachers get in various activities in the community. You're saying there is some pretty subtle and not so subtle pressure on your northern affairs officers not to become overly involved in the community, and, really, it should be up to themselves to decide.

**Mr. Scott:** We don't have any problems. Do you have someone in mind? Do you have a case in mind that I could look into with you?

**Mr. Foulds:** I certainly wouldn't name them in this committee, if that's your attitude.

**Mr. Bullbrook:** Do your service club work on professional development days. In the first five days my youngest daughter went to school this year, two of them were professional development days.

**Mr. Bain:** And the other day the teachers were out on October 14.

**Mr. Bullbrook:** They might have been, at that.

**Mr. Bain:** No, they weren't.

No, I don't have a name. We have relatives all over northeastern Ontario and actually I've been getting some feedback from areas beyond the borders of my riding and I didn't personally know the people involved so I didn't pursue it. But I thought it would be a useful question to ask since you were here, and you're confirming my worst suspicions.

**Mr. Scott:** I think your useful question has to do with the man in Kirkland Lake, and we suggested that he not be the chairman of the winter carnival this year, and the winter carnival is not a job you do in the evenings. Okay? Fair ball?

**Mr. Bain:** Okay, we can pursue it. I also heard that you let a northern affairs officer go someplace in northern Ontario for becoming involved in an activity that drew him into conflict with the government. I also heard that you reprimanded the northern affairs officer in Kapuskasing. Now, you mention the gentleman in Kirkland Lake—

**Mr. Scott:** Excuse me, sir. Would you repeat that about Kapuskasing?

**Dr. Reynolds:** Excuse me, could I interrupt, Mr. Chairman? I really think, with great respect, the committee is straying into an area that involves personnel policy and conflict of interest and I would personally be glad to look into any situations that are troubling you. The responsibility is visited upon the deputy minister to establish these, not the Ralph Scotts and so on. On whatever degree of confidentiality you want I'll look into them thoroughly for you.

We don't have a policy different for northern affairs than for others, and there

are all sorts of unusual types of conflict of interest that involve civil servants which don't involve the public. It's a terribly difficult judgemental factor and I would take that obligation on myself if that would be helpful.

**Mr. Bain:** I appreciate that, and, as I said earlier, the information that I've gotten has been that it's a problem that exists over many parts of northern Ontario, and I'm surprised to find that such has happened in Kirkland Lake.

**Dr. Reynolds:** I would be equally, sir. The rules are spelled out very clearly, the directions to employees. We do this at intervals to remind people that the onus is on the employee. If he thinks he's in a position which might be a conflict of interest, he writes, gets in touch with us directly; comes in and sees the deputy minister whose decision on this is to be essentially final. So if there are problems with any of the things that Mr. Scott or others have talked about, these people ought to be taken up to the deputy minister.

**Mr. Bain:** So then it's between the deputy minister and the individual northern affairs officer?

**Dr. Reynolds:** Yes, sir.

**Mr. Bain:** Thank you.

**Mr. Foulds:** Can I just pursue that for a minute? The initiative is with the employee?

**Dr. Reynolds:** Yes, sir.

**Mr. Foulds:** So that if he feels the time is too much or that there's a conflict, then he initiates the inquiry with you? It doesn't go the other way around?

**Mr. Bain:** In other words, he can participate; he's not to be told he can't. And if he feels there is a problem? I would suppose that it might work the opposite way; I wouldn't be averse if the deputy minister wanted to talk to the employee about it, but certainly the deputy minister would not unilaterally send an order down that so and so was not to participate.

**Dr. Reynolds:** Hardly a week passes that I don't have arrive on my desk an envelope from somebody saying that I, or my wife or somebody, are thinking of doing this, would you see this as a conflict of interest. But the onus is on the employee.

**Mr. Bain:** Yes, thank you very much.

**Mr. Lane:** There has been quite a bit of discussion on this matter, I don't want to prolong it. There have been some good suggestions and I think I'd have to agree with my colleague from Nipigon that the boys in my riding do a tremendous job. I have three northern affairs officers in my riding. As a matter of fact, the minister, in his wisdom—back in 1972 I believe—decided that one of them should be closed for financial savings. I made life so darn miserable for him he opened it up again.

We don't have any other service offices in the riding. I think Mr. Smith's point is that in the cities—maybe in Sudbury and North Bay and Sault Ste. Marie, in the larger areas—these other government service offices do take a lot of the load that the northern affairs offices take in places like Jack Stokes and I happen to serve. But I have nothing but good to say about my boys.

**Mr. Foulds:** Your boys!

**Mr. Lane:** On the little dialogue we had a few minutes ago about who can do what; one of the busiest men I know, and he is a northern affairs officer, was one of the best presidents the Lions' Club ever had in that particular town. So they do get involved and do a darn good job in both fields.

I think the thing that most of us don't realize is just how many things they get involved in as they relate to government. They don't only serve practically every ministry of the provincial government but they also serve the federal government in a great many ways. They are involved with Old Age Security, Canada Pensions, Unemployment Insurance; and in recent months the home renewal programme in a lot of the unorganized areas where there are no municipalities. These people look after that programme as well and this has made them even more busy than they were before.

I think the fact that we have 24 or 25 offices is a little misleading. Most of these guys in my area have satellite offices, or they have people in various other parts of the area; they go out on Wednesdays or Fridays and see people there. I hope we are not paying anything for these offices, because they happen to be a municipal office or the Ministry of Agriculture and Food office or something of that nature. But I know that the three guys in my area, especially two of them, do a lot of that. They run from one place to another so that they are closer to the people.

I don't know how many made note of the figure that Mr. Bernier was mentioning a

few minutes ago, but I checked a little while ago and my information says that in 1972 there were over 80,000 contacts and in 1975 there were 257,000 contacts. So that is a substantial number of contacts.

I think the member for Nipissing (Mr. R. S. Smith) raised a very interesting matter when he said that his constituency office is close to the northern affairs office and that maybe he has more people coming into his office than the northern affairs man does. I think these offices came into being last February. The minister said he is prepared to look at areas where there is no need for northern affairs offices, and probably in some cases these offices do conflict. I don't find this. Our constituency offices are supposed to be non-political, and certainly as far as I am concerned mine is. Anybody at all is welcome there and most everybody comes regardless of their political persuasions.

But I think there are some people who need some help who are a little reluctant to come to the member's office—thinking it is the member's office and not a constituency office. I think that same person might go to the northern affairs office and get that help rather than do without it, as in some cases. So I think maybe there is a need in some cases for both.

I know the young lady who works for me in my constituency office in Espanola was formerly secretary of the northern affairs officer. I have already told her that if she thinks she can get the information faster for the person who needs it from that office, because she worked there and knows what they can do, to get it from him rather than from me because we want to serve the person as fast as we can with the information.

[5:30]

Mr. Minister, the only comment I'd make about this service is that it seems to me that—two comments really—one is it seems a little unfair maybe that the whole programme should be charged to your ministry when they do serve all the ministries and a good many of the federal problems. Somebody has to pay them and I guess it doesn't really matter where it goes, but maybe it's a little unfair that your ministry does have to find the money to pay these people when they do work for the people in total and for all the ministries.

The other thing I would say is that if you are looking at the programme with a view to changing it, or maybe closing out some offices it has been suggested that maybe are not necessary, you might look at the

aspect of having these work on a two-way street a little more than what they have in the past.

In the past they've been busy trying to provide a service to people who can't resolve a matter as it relates to government. In some cases this matter keeps on popping up because there's a road block that's causing it. I think if these officers had the guidelines changed a little bit so they could make suggestions to whatever ministry is involved that if this certain road block that is causing problems on a consistent basis could be removed, thus we get rid of the problems. Otherwise we could have the same man solving a problem for different people for the next five years.

If there is some reason that problem keeps cropping up then we should get rid of the road block that's causing the problem. I don't think that the guidelines for the northern affairs officers at this time gives them the privilege of writing to you or any other ministry saying, "If this certain thing was done in this area then we wouldn't have all these problems." I feel they are more or less there to help solve the problems and not tell you or another ministry why the problems are being caused.

Some of the people I've talked to are very busy and this is a bit of a frustration to them because they do keep on having different people come in with the same problem that could very well disappear if they had the responsibility of telling whatever ministry that the problem related to what the problem was so it could be removed. And, of course, it would save them a lot of work load as well.

So if you're looking at the programme again, maybe you might just look at that aspect of it. I think some of them really would appreciate the opportunity to do that and I think it could very well provide a better service. But on the total I would say that these guys are excellent people and are doing a very excellent job in places like the north shore part of my riding and Manitoulin Island and I'm sure in Mr. Stokes' riding where there are very few, if any, other service offices of this kind.

**Mr. Chairman:** Any further discussion on this item?

**Mr. Bain:** I just wanted to echo some of the kind words that have been said about the northern affairs offices. I, like many other members of my party, had some pretty severe reservations about those offices when they were originally opened. Maybe it just



goes to show that we were of an untrustworthy nature to think those offices would be used for political purposes only. Maybe in their origin that was in the back of some people's minds, but I think that the way that the offices have been implemented has been a credit to the people who work in them. The offices in fact have served as a community service and I think they worked out very well and the reservation that many of us had has been dispelled.

I have two offices in my riding and if perhaps any other member in the north would like to give me one of theirs I wouldn't mind having a third one. My riding is quite spread out and it has a number of fairly small rural communities, therefore the population is spread over a wide area and I find that the northern affairs offices are doing things that I wouldn't have the time to do. For example, they filled out income tax forms for senior citizens and when I had occasion to be in a northern affairs office in New Liskeard one day there was literally a line-up of senior citizens getting their income tax forms filled out. It was a steady trickle the whole time I was there and that's just not something that I would have the ability to do. My constituency office is in Kirkland Lake and obviously people aren't going to travel from the whole riding to Kirkland Lake to ask my secretary there to fill out their income tax forms. So it is just not something that we could do. Yet it is something that the two northern affairs officers in the riding can do quite readily. And they would perform quite a useful service to people. As I said earlier, I am quite pleased at the way they turned out. I would hope that they would remain as a service to the people of the area and as a very direct service. I don't think that they could be any better a service even if they were the foundation for the new ministry of northern Ontario.

**Mr. Chairman:** Shall item 8 carry?

Item 8 agreed to.

On item 9, youth corps:

**Mr. Foulds:** Just a couple of questions. Why is the expenditure twice as much for the youth corps as it is for junior rangers? Secondly, has the money been spent already, seeing as it is marked for Experience '76?

**Dr. Reynolds:** Taking the second question first, Mr. Chairman, yes, it has been spent. I'm afraid that is the nature of this type of thing that the number of—I was just going to make a comparison of numbers. It's about

the same, but it really is a more expensive programme to operate. There is much more need of individual activity and vehicles; and more remote areas and that type of thing. It just is a more expensive programme to run.

**Mr. Spry:** The salary rates are different, of course, too.

**Mr. Foulds:** What are the differences in the salary rates?

**Mr. Spry:** The salary rates are related to the jobs that the people are hired to do in relation to the regular staff positions, whereas the junior ranger rates are set at \$10 a day. So they would be higher. And there are more. There are some 2,800 or 2,900 in the Experience '76 programme against the 1,600 in the junior ranger programme. The length of time isn't always exactly the same, although there tends to be more movement of people in and out of the Experience '76 programme. There are a lot of plus and minus factors in this that if you tried to say it is so much a person you would have to say it is a little more because of this and it is a little less because of that.

**Mr. Foulds:** In all of that, did I hear you say that the salaries of the people in the youth corps programme are more directly related to standard ministerial salaries?

**Mr. Spry:** There is a schedule of salaries for them which is in excess of the \$10.

**Mr. Foulds:** Is it more than the minimum wage?

**Mr. Spry:** Oh yes, I think so.

**Mr. Foulds:** Why don't we make the junior ranger salary at minimum wage?

**Dr. Reynolds:** There are other factors. For example, the provision of food and lodging and that type of thing which junior rangers get. It's somewhat comparing apples and oranges to draw that sort of comparison.

**Mr. Bullbrook:** Never had a junior ranger complain about the salary.

**Mr. Foulds:** No, no.

**Mr. Bullbrook:** Nothing but complete adulation. Strangely enough, my riding is per capita one of the most participatory in the junior ranger programme.

**Mr. Bain:** They want to get out and start—

**Mr. Foulds:** It's in the—

**Mr. Bullbrook:** It really is a tremendous thing. I began it when I was first elected. I put an ad in the paper, and I think the deputy knows—or the minister knows—I always have at least 20 go every year.

**Dr. Reynolds:** It becomes, of course, quite substantially a word of mouth advertising operation.

**Mr. Bullbrook:** That's exactly what it is. It's tremendous.

**Mr. Foulds:** There was some mention that the youth corps work was farther north?

**Dr. Reynolds:** No, I didn't say that. Youth corps work is all over.

**Mr. Foulds:** I thought that someone had.

**Hon. Mr. Bernier:** I might have mentioned the Experience '76 programme that was expanded into the remote Indian communities in my opening remarks. We had Round Lake, Big Trout, Sandy Lake—four or five—which was a broadening of the earlier programme. It worked very well.

**Mr. Foulds:** And that, of course, would mean additional implementation costs?

**Hon. Mr. Bernier:** Yes. They worked through the band council and the chief. They were used for a number of programmes: dealing with the elderly people, building docks, looking after garbage dumps, cleaning up the streets; it was pretty general.

**Mr. Foulds:** It would cover the whole community?

**Hon. Mr. Bernier:** The whole community, yes. Working in the community is what they did.

**Mr. Stokes:** Just one word of caution with regard to the whole programme. It's an excellent programme but it only takes one or two bad apples to spoil the whole programme. I want to tell you of an incident where some of the people associated with this programme, three of them in a half-ton truck, were using the truck to run all over the place. They had gone and picked up some garbage and they didn't feel like going all the way back to the dump, so they dumped it in somebody else's garbage can. They were caught at it and they said, "Listen you picked that up at an access point, and really, I don't think that I should be hauling away your garbage. Take it out of there and take it to the dump."

That's obviously just an isolated case, but perhaps your people could monitor it a little more closely. If somebody's running around in a truck and there's no garbage in it, people will say all we're doing is providing a nice little summer safari for a few kids to run around. That isn't generally the case but it only takes one or two, so perhaps you could watch it more closely in future.

**Mr. Chairman:** Any further discussion on item 9?

Item 9 agreed to.

**Mr. Foulds:** Could I just ask a question about the statutory amounts at the bottom of the page? What is the contract security deposits? Is that for people who are licensees?

**Hon. Mr. Bernier:** Our expert is right over there. You'll notice it's on all the votes. Mr. Spry will know about that.

**Mr. Foulds:** The contract security deposits?

**Mr. Spry:** Yes, there are certain types of contracts that require that, and we're required to set aside that \$25,000 to repay it to them. I think I'm—

**Mr. Foulds:** What happens? Some contractors put up a security deposit that then gets received into your funds and you have to refund that?

**Mr. Spry:** Yes. I think perhaps I'd better ask Mr. Churchill if he could give an explanation of that. I think he could do a much better job than I would on it.

**Mr. Churchill:** Under the present regulations from Treasury, when the deposits are received they're paid into revenue and kept in trust in revenue. When we pay them out we have to pay them out under the expenditure accounting, under security deposits. That's why the sum of \$25,000 is put in there.

**Mr. Foulds:** So they come into the general revenue—consolidated revenue.

**Mr. Churchill:** Under trust, yes.

**Mr. Foulds:** And that's the only way you can get them out again?

**Mr. Churchill:** Yes. It's to make certain that Treasury has an accounting for the receipt and for the expenditure. They don't get offset one against the other.

**Mr. Bullbrook:** Just for my own understanding of government, you mean to say

that these funds, which in effect are escrow funds, come into consolidated revenue?

**Mr. Churchill:** No, they're kept separately as trust, but—

**Mr. Bullbrook:** Oh, they're kept separately?

**Mr. Churchill:** Yes, but to make certain that in the final accounting at the end of the year, instead of netting the figures they have a revenue item of the amounts paid in, and they have an expenditure item on them as paid out. It's purely to keep the two separate.

**Mr. Bullbrook:** Why does it find itself into your general estimates, then, if it's really an escrow fund?

**Mr. Churchill:** That's why it's statutory, it's not voted on.

**Mr. Bullbrook:** Oh, I see. That's it.

Vote 2301 agreed to.

On vote 2302:

On item 1, water control and engineering:

**Mr. Stokes:** I have a fair idea of what this money goes for and I'm not particularly concerned about the amount. But I'm wondering what degree of supervision does your ministry hold with regard to water control? I'm speaking specifically of Ontario Hydro's activities in generation using water power, and I want to refer specifically to Long Lake. Longlac sits on the shore of Long Lake and they've experienced extreme difficulty over the years. Obviously your ministry has given authority to Ontario Hydro to effect the fluctuation of water levels on Long Lake in order to maximize the generating capacity of the Agassabon generating station. As a result of the draw-down at certain periods of the year, and having regard for the amount of precipitation and the very low water levels just before what they refer to as freshet, the town of Longlac in many instances hasn't got enough water. It's going to cost a lot of money to extend the intake about a mile and a quarter out into the lake before they can get sufficient depth so that they eliminate the turbidity and everything else.

[5:45]

It's causing no end of problems and the township of Longlac has tried, to no avail, to prevail upon Ontario Hydro to operate its dams in such a way that when the water is low at least it doesn't place the water supply of the township in jeopardy. Ontario

Hydro said, "No, we've been given the mandate to operate those water levels within certain minimums and maximums and there's really nothing we can do. Our primary concern is the maximum generation of power by the cheapest means known."

Is there any way in which your ministry can intercede, particularly when the town water supply is in such jeopardy that if the Canadian life underwriters knew the extent it may be extremely difficult for them even to get insurance there? It's the only source of water the town has. It's expanding very rapidly as a result of the expansion by Kimberly-Clark. They have got DREE-Ontario funding for a project which will get under way next summer to correct this problem at least in some measure.

Is there any way in which your ministry, which has the responsibility for water control, could prevail upon Ontario Hydro, at least in the interim, to co-operate with the township of Longlac to minimize the effect of the drawing off of water, particularly in periods of low water levels?

**Hon. Mr. Bernier:** Mr. Chairman, one of the advantages of having these estimates in committee is being able to call on the experts and we have one with us in the person of Barney Panting. Mr. Panting is a professional engineer. His official title is director of engineering services.

**Mr. Stokes:** Have you been made aware of this? Has anybody ever invited your assistance in order to resolve this problem?

**Mr. Panting:** Yes, Mr. Chairman. I seem to recall that this came to our attention about a year ago, if not more. It seemed to me that the problem really revolves around the draw-down that's permitted, either by a licence of occupation or by a water power lease agreement issued by the Crown to Ontario Hydro, and that the minimum draw-down does affect the intake for the town of Longlac. I seem to recall that we asked Ontario Hydro officials to discuss this problem with the village or the town.

It may have been a case of the intake being constructed at an improper level. In other words, it should perhaps have been deepened to provide for the draw-down permitted by the water power lease agreement.

**Mr. Stokes:** That was fine when the township had 800 people. Now it's got 2,500 people and two fairly major industries in the town which are using that source of water. Surely Ontario Hydro can be flexible enough to accommodate the needs for that



town until such time as it can make other arrangements?

**Mr. Panting:** It may be a case, Mr. Chairman, of looking at the trade-offs in this particular situation—whether we should be producing power with that water or whether it should be left sitting there for the use of the village or the town. I think that's a very basic question here.

**Mr. Stokes:** Will you look into it?

**Mr. Panting:** By all means.

**Mr. Stokes:** Thank you very much.

**Mr. Riddell:** Mr. Chairman, I come from that part of the province where agriculture is a prime industry and there's not a great deal of involvement by the Ministry of Natural Resources, other than maybe its involvement in conservation authorities and provincial parks, but I do have a concern expressed by an interested citizen at Red Rock. Her concerns were expressed to my leader, who in turn discussed it with me as I am chairman of the land use planning committee for our party. I couldn't think of a more opportune time to bring these concerns to the minister than the present time.

It has to do with land management and that's the very thing we're talking about. I think maybe the concerns can best be expressed by simply reading the letter that was sent to my leader. She goes on to say:

I have recently been made aware of development plans for the north shore of Lake Superior that I find hard to believe. Ministry of Natural Resources people—senior land planners—have told me that detailed plans have been accepted by that ministry that include building an ore dock and pelletizing plant to concentrate and distribute northwestern Ontario iron ore. This development is to occur on the shoreline of Lake Superior at Mazokamah Bay, about 15 miles from Nipigon, going east. I can see several reasons why this development should not occur at this site. They are as follows:

1. Kama Bay is one of only a few spectacular scenic spots on the north shore of Lake Superior on Highway 17. Many argue that this site, with three serviced highway lookouts, is the best scenic lookout on Lake Superior. Certainly there is majestic scenery here now, and many interesting rock formations and land forms are visible to visitors at this spot. To destroy such rare Ontario lands and scenery by plopping ore freighters and factory smoke-

stacks in this scene would be nothing short of a crime. Probably more picture postcards are made of the Kama area than any other single area in Ontario. Do we want to destroy this?

2. Results of recent Environment Canada and private industrial surveys of the waters of Nipigon Bay show that waters to the east of La Grange Island, about the middle of the bay, are essentially unpolluted, unaffected by human settlements at Nipigon and Red Rock and, even more significant, unaffected by pulp and paper effluent from the Domtar mill at Red Rock. This industry has unquestionably added pollutants to Lake Superior and has destroyed the natural fish habitat once found along this shoreline. To allow industry to develop on the eastern shoreline and destroy these waters also would be a shame. This area is known far and wide as the best speckled trout fishing area in the world. Certainly the largest speckled trout taken in Canada, probably in the world, are taken each year from Nipigon waters of Lake Superior. This is a rare treasure we in Ontario now possess, and to allow deterioration of these waters is to the detriment of all Canadians. These trout—five-, six- and seven-pounders—are commonly caught right below the Kama scenic lookout. Other species are being taken regularly also—rainbow trout, pike, large perch and even the occasional salmon and lake trout. As well, pink salmon are now using the rivers running into Kama Bay as spawning rivers. These fish are truly a valuable natural resource. Don't allow industrial development to destroy this.

3. Industrial development should occur for the benefit of all in the northwest. Companies should be required to develop factories in towns or townships where they intend to house their employees. To expect nearby communities—Nipigon, Red Rock, Schreiber or Terrace Bay—to house and supply services for these people, without substantial increase in their tax base, is unfair and should not be allowed to occur. There is certainly vacant land available in Nipigon—the site of an old mill or land on the eastern bank of the Nipigon River mouth. Land is also readily available in Red Rock and could be considered. Large lake and ocean vessels already come in here, so the ore dock in this area could be feasible. Keep industry in an already industrialized area. Other sites to consider could be the present dock at Jackfish, near Terrace Bay, or at the present dock at Heron Bay, near Marathon.

Ministry of Natural Resources land planners in the Thunder Bay regional office have said such things as: "What's more important, speckled trout or 200 jobs?" or, "Wouldn't it improve the beautiful scenery at Kama if, when you drove out on to the lookout, you could see a large lake freighter turning around in the bay below?" This attitude in our Ministry of Natural Resources certainly doesn't show concern for our true natural resources but rather a concern with big industry interests at heart.

Natural Resources people have told me that Kama Bay is the best site on Lake Superior for this industry. I question this statement. Best for who? Certainly the best for Dofasco and the other companies concerned. The terrain allows reasonable access to Lake Superior here for a transport system for the ore—supposedly a pipeline from iron mines further inland to the north and west. Good long-range land-use planning should not be altered because of immediate cost to the developers. Let us do what is really in the best interests of the country, not just in the best interests of Dofasco. Transport systems could easily be built to any other site on the shoreline.

I am told that I am the first person to have ever expressed anywhere a negative view to this development in Kama Bay. If true, this is incredible.

Does our Ministry of Tourism agree that Kama should be changed as proposed? Do all our Natural Resources people agree? Do all our local politicians agree? Or have all these people been informed of some or all of these plans and details?

Perhaps Mr. Stephen Lewis is right. The Ontario government is being too secretive about planning. People should be informed and involved.

Please consider some of my concerns in this matter and discuss them with different officials responsible for such plans. I shall send copies of this letter to as many concerned people as I can. I hope you find time for an early response to my letter.

**Mr. Laughren:** Who was that signed by?

**Mr. Riddell:** As I indicated, I am not familiar with these areas in northern Ontario which she is referring to, but the letter has been brought to our attention. Obviously, this person is very concerned. She seems to indicate that the local politicians aren't too concerned about it, so I would gather from her comments in this letter. I would like to

know what your comments are. Is that plan indeed going to go ahead?

**Hon. Mr. Bernier:** I must say to you that as far as we are concerned, as far as I am concerned, this is a verbal, conceptual idea. I have never seen anything in writing, from any group or any individual, and I don't think I have ever seen anything in the newspaper about such a proposal. I think somebody approached me at a cocktail party one day and explained to me that when all these iron ore developments go, this might be something that could be considered.

I have never seen anything. I don't know if the deputy has or not.

**Dr. Reynolds:** No.

**Mr. Foulds:** Excuse me, isn't it a proposal that has some direct dealings with the Ministry of Treasury, Economics and Intergovernmental Affairs? There was a preliminary study done, I think, three or four years ago, of a number of sites and it was at a very preliminary stage. One of them was Shuniah, I believe, which is just outside Thunder Bay.

**Hon. Mr. Bernier:** It could be but we should—

**Mr. Foulds:** I think they scrapped—I think as of—

**Dr. Reynolds:** I think the whole proposal, as I know it—this has involved the potential development of the Lake St. Joseph deposit and somewhat—

**Mr. Foulds:** No.

**Dr. Reynolds:** No?

**Mr. Stokes:** No, it originally belonged to Anaconda up at Melchett Lake; it's now been taken over by Dofasco. What this lady is complaining about is the fact that there is a two-mile-wide licence of occupation from the Melchett Lake ore find down to some place that would provide access to Lake Superior or the Great Lakes water system. They originally had a licence of occupation on three locations, decided to retain their option on the Kama Bay site and then sold the property to Dofasco.

To put the thing in proper perspective, the writer of the letter owns considerable land in Kama Bay. What they did was to make application to subdivide this land to provide cottage lots for people who want them; they are in great demand. She's right; it is a beautiful place. The ministry wrote back and, of course, the person who wrote the letter

needed a lesson in public relations because the person said, "You really wouldn't want to develop cottage lots there because there are going to be steamships floating around in the bay if this plan should go ahead. There's going to be an awful lot of pollution. It's going to have a very deleterious effect on this beautiful shoreline. You really wouldn't want to put cottage lots there."

I'm surprised she didn't send you the letter she got from the Ministry of Natural Resources; that really would have made a case for you.

**Mr. Bullbrook:** There is a licence of occupation issued by this ministry?

**Mr. Stokes:** Yes, it has been in effect for 10 or 15 years.

**Hon. Mr. Bernier:** I wasn't even aware of it so that's how much significance it has at my level; that's for sure.

**Mr. Bain:** It just goes to show you.

**Mr. Stokes:** It's not likely to happen.

**Mr. Bullbrook:** If my colleague doesn't mind, for my own interest, does one presume that an undertaking of this nature couldn't come to fruition without your evaluation?

**Hon. Mr. Bernier:** No, no way—

Interjections.

[6:00]

**Mr. Riddell:** I find it strange that she would say, "Ministry of Natural Resources people—senior land planners—have told me that detailed plans have been accepted by that ministry that include building an ore dock and pelletizing plant . . ." This is the reason I brought it to your attention; it sounds to me like she got it right from the horse's mouth.

**Mr. Stokes:** She did. It was somebody in the lands branch in your district office in Thunder Bay, and I think he's wrong.

**Hon. Mr. Bernier:** I wonder whether the assistant deputy minister for northern Ontario would have a comment to make. Mr. Ringham?

**Mr. Ringham:** Mr. Chairman, Mr. Minister, we never really received a formal application or a feasibility study, as indicated. My only contact was with a local consultant engineer here in Toronto who was acting on behalf of a firm called Oglebay Norton, who in turn were representing their principals at that time, Anaconda. They came to us wanting to know who they should contact in government in regard to matters dealing with the environment, pollution controls and this type of thing; land matters; and who in the Ministry of Treasury, Economics and Intergovernmental Affairs to contact in regard to townsites and matters of this type.

We attended one meeting with the consultant. We gave him a list of ministries that would be involved if this project went ahead, and we told him they should be making a formal submission to the government. We have never been approached since that time, and that was about three years ago.

I am disappointed if what is quoted is correct, and I can only believe it is correct, and that that's the type of letter a customer would get in inquiring. I find it rather rough. Basically, in any land-use planning exercise you're faced with making choices; I think this probably is what they were trying to get across. But I believe what Mr. Stokes has said, to the best of my knowledge, the thing is far into the future as far as being a "go" project.

**Hon. Mr. Bernier:** If ever.

**Mr. Chairman:** It being 6 o'clock I do now leave the chair and the committee will meet after the question period tomorrow.

The committee adjourned at 6:02 p.m.



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## SPEAKERS IN THIS ISSUE

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Bain, R. (Timiskaming NDP)  
Bernier, Hon. L.; Minister of Natural Resources (Kenora PC)  
Bryden, M. (Beaches-Woodbine NDP)  
Bullbrook, J. E. (Sarnia L)  
Ferrier, W. (Cochrane South NDP)  
Foulds, J. F. (Port Arthur NDP)  
Germa, M. C. (Sudbury NDP)  
Haggerty, R. (Erie L)  
Lane, J. (Algoma-Manitoulin PC)  
Laughren, F. (Nickel Belt NDP)  
Lewis, S.; Leader of the Opposition (Scarborough West NDP)  
Makarchuk, M. (Brantford NDP)  
McClellan, R. (Bellwoods NDP)  
McNeil, R. K.; Chairman (Elgin PC)  
Riddell, J. (Huron-Middlesex L)  
Smith, R. S. (Nipissing L)  
Stokes, J. E. (Lake Nipigon NDP)  
Wildman, B. (Algoma NDP)  
Williams, J. (Oriole PC)

**Ministry of Natural Resources officials taking part:**

Churchill, M. J., Supervisor, Budget Section, Financial Management Branch  
Foster, W. T., Assistant Deputy Minister, Southern Ontario  
Jewett, G. A., Executive Director, Division of Mines  
Mohide, Dr. T. P., Director, Mineral Resources Branch  
Panting, S. B., Director, Engineering Services Branch  
Reynolds, Dr. J. K., Deputy Minister  
Ringham, L., Assistant Deputy Minister, Northern Ontario  
Scott, R. V., Director, Northern Affairs Branch  
Spry, G. D., Executive Director, Finance and Administration Division











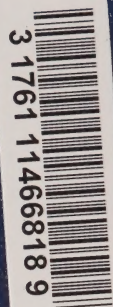




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